

Alberta Human Rights and Citizenship Commission

Employers' Perspectives Research Project

March 2002



Funding provided by Human Rights, Citizenship and Multiculturalism Education Fund

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Acknowledgements

The success of research projects often depends on the contribution and cooperation of many people. The following individuals and groups were instrumental in the successful completion of the *Alberta Human Rights and Citizenship Commission Employers' Perspectives Research Project*.

Project Steering Committee

Pardeep Gundara	Manager, Southern Region
Charlach Mackintosh	Chief Commissioner
Marie Riddle	Director
Cassie Palamar	Manager, Education and Commission Services (Project Manager)

Data Contributions

Representatives from businesses who participated in focus groups.

Representatives from human rights commissions.

Representatives from businesses that participated in the telephone survey.

Preface

In March 2001, the Alberta Human Rights and Citizenship Commission asked Howard Research¹ to gather information from Alberta employers to learn about:

- (a) their awareness and understanding of their rights and responsibilities under Alberta's human rights legislation;²
- (b) their experiences with human rights in the workplace; and
- (c) the types of resources, programs, or services they are currently using or that would be helpful in preventing discrimination and building inclusive workplaces.

This research was designed to assist the Alberta Human Rights and Citizenship Commission develop targeted and beneficial human rights resources, programs, and services to meet the needs of employers who fall within the jurisdiction of the Alberta commission. Ultimately, targeted programs and a proactive approach to employer education about human rights is aimed at reducing the number of employment-related human rights incidents.

The research was conducted in two phases over the fiscal year 2001-2002.

Using literature review, key informant interviews and focus groups, Phase I of the study was designed to gather information to develop a survey tool to subsequently gather perspectives from the general population of Alberta employers.

Phase II of the study involved the collection and analysis of data provided by a random sample of 562 employers reached by telephone. Respondents to the survey were the individuals in a given organization who dealt with human rights and workplace discrimination matters.

The following report is divided into two main sections. Section One presents the findings of Phase I. Phase II findings are presented in Section Two. To tie both Phases together, a *Highlights* section and *Executive Summary* are offered at the beginning of the report. In addition, an Appendix section includes *Literature Sources*, *Participants List*, *Search Strategy*, *Definitions*, and *Survey Instrument*.

¹ Howard Research and Instructional Systems Inc. is a human and social science evaluation and research firm.

² The legislation is the *Alberta Human Rights, Citizenship and Multiculturalism Act* (chapter H-11.7 of the *Alberta Statutes and Regulations*).

Highlights

Employer Knowledge of Human Rights Legislation

It was not clear from focus group results the degree to which participants understood what constitutes discrimination under human rights legislation. Similarly, survey results indicate that employers are not confident in their understanding of human rights infractions and subsequent actions. They place a high priority on receiving information concerning the different grounds that are protected under Alberta's human rights legislation, legal responsibilities for human rights at work and who is protected, hiring practices, and duties of organizations to accommodate employees.

Informing Employees About Human Rights Issues

Both initial focus group participants and subsequent responses from employers surveyed support the notion that Alberta employers believe human rights issues are important. Phase II results indicate that the importance of human rights issues is rated higher as the company increases in size and as the company employs a larger female workforce.

While the majority of employers believed human rights in the workplace were important, many of them did not provide human rights information to their employees. Again, companies who employed more than nine employees and companies with a greater than 25% proportion of females in their workforce were more likely to provide information.

Experiences with Complaints

Few focus group participants had experienced a human rights complaint reported to the Alberta Human Rights and Citizenship Commission. Approximately 8% of businesses randomly surveyed reported having experienced a complaint in the past five years. As the size of the business increased, it was more likely the employer had experienced a human rights complaint.

During both phases of the study, employers reported that complaints that arose were most likely associated with sexual harassment.

Both focus group results and survey results appear to support the notion that employers like to resolve a complaint before it is reported to an external body. Employers see "internal strategies for resolving issues that arise in the workplace" as a priority issue/topic area on which Alberta Human Rights and Citizenship Commission should provide information.

Perspectives on Discrimination

During the focus groups, employers identified a number of areas that they believed constituted discrimination in the workplace. However, employers also seem interested in what was paraphrased by the focus group facilitator as the "grey areas," such as discriminatory practices by employers in selecting employees. "Hiring practices" was a priority area identified in the survey as a suggested focus for attention by the Commission.

Perceived Benefits of Positive Practices

Employers interviewed during the focus groups were unanimous in agreeing that positive human rights practices are good for business. They most commonly cited the benefit of a "positive work environment" in attracting the best employees. However, to keep the survey brief and to increase participation by employers, this area was not tested outside of obtaining a general perspective of the "importance" of human rights issues to employers. Qualitative comments generally support the work of the Commission in advancing the importance of human rights issues. There are employers in Alberta, however, who appear to have little time for the issue of human rights and its importance.

Barriers to Positive Practices

While focus group participants offered perspectives on barriers to positive human rights practices such as "limited resources (money and staff)," issues of barriers were not tested with survey participants. Qualitative comments point toward the desire of employers to receive relevant information in a concrete, timely manner.

Accessing Information and Assistance

According to most employers interviewed at the focus groups, the primary source for human rights information is the Commission. Large employers added that their own legal counsel was an important source of information. Representatives from human rights commissions interviewed emphasized the effectiveness of face-to-face sessions with employers (seminars and workshops).

Information Employers Want

Overall, employers surveyed place a "high priority" on receiving information related to their legal responsibility as employers to provide a workplace free from discrimination and on developing internal strategies for resolving human rights issues.

Employers surveyed during Phase II suggest a number of communication formats they may find useful in better understanding and implementing positive human rights practices. Suggestions included:

- printed materials,
- comprehensive Web site, and
- confidential telephone hotline.

Organizations that are unionized and comprised of a large number of employees also favour the following formats for standardized and formal distribution of information:

- videotapes,
- workshops and presentations,
- email, and
- materials that can be integrated into the organization's newsletter, magazine, or bulletin board.

Contribution to the Literature

Current literature does not offer extensive information on human rights issues from an employer's perspective. One of the weaknesses of the literature is its lack of information on the demographic factors that impact perspectives of employers. From an Alberta employer experience, the most influential factors are proportion of females in the workforce and the size of the business. In addition, the literature does not provide much assistance in suggesting what information and in what formats employers prefer receiving information about human rights issues. This study provides that perspective.

While specific findings tend to confirm previous notions in the literature rather than raise new insights around human rights in the workplace, it does provide a much needed perspective on what information employers want and in what formats. The experience of Alberta employers would suggest that employers want to better understand their legal responsibilities and to receive that information through print, websites, and telephone hotlines.

In addition, Phase I of this study helps to define a future research agenda that includes:

- What does the term "human rights" mean to employers?
- To what degree do employers inform employees about human rights and related issues?
- In what degree are employers unwittingly contravening human rights legislation?

- What scope of benefits do employers perceive through positive human rights practices?
- What barriers keep employers from exercising positive human rights practices?
- How do employers apply the human rights information they receive?

Executive Summary

Summary of Phase I Findings

This summary reflects interviews with employers in Alberta, with representatives of human rights commissions (provincially and nationally). There was also a session held between the researchers and the Project Steering Committee where the *Context Review* and *Focus Group Findings* were presented.

Employer Knowledge

While the vast majority of employers interviewed during the focus groups were unable to cite specifics from the *Human Rights, Citizenship and Multiculturalism Act*. Also, it was not clear from their comments of the degree to which participants understood what constitutes a human rights "infraction"—especially employers with smaller businesses. To some degree, representatives of human rights commissions interviewed also suggested that it is difficult to determine the degree to which employers understand the grounds on which a human rights complaint can be brought forward to a human rights commission.

A number of employers implied that issues of human rights are "only paid attention to" if there is a complaint. This response should be more accurately tested since it may suggest the need for human rights materials to portray more "promotion/preventative" themes.

While not a dominant theme, there may be some confusion among employers concerning the terminology associated with the Act. Employers seem reasonably confident about the meaning of "human rights," but they are not as clear about "citizenship" and "multiculturalism."

Potential Areas of Inquiry

- What does the term "human rights" mean to employers?
- What constitutes a reason for a human rights complaint?
- When do employers concern themselves with human rights issues?

Informing Employees

Generally, informing employees about human rights issues is the responsibility of management. However, large businesses (50 or more employees) tend to have more formal processes in place to disseminate human rights information (policies, policy manuals/handbooks, hot lines,

human resource officers, employee groups, etc.). Small to medium sized businesses (11-49 employees) tend to provide some orientation about human rights at hiring and post information on bulletin boards. Very small businesses (less than 10 employees) may not discuss human rights at all. This position was supported by information gathered from representatives of human rights commissions.

Potential Areas of Inquiry

- How important is it to employers to inform employees about human rights issues relative to other labour related issues?
- What human rights information do employers pass on to employees?
- When do employers relay human rights information to employees?

Experiences with Complaints

Few focus group participants had experienced a human rights complaint reported to the Alberta Human Rights and Citizenship Commission or other commission.³ If issues arise, employers like to resolve the complaint before it is reported to an external body.

While experience with different types of human rights complaints varied among employers interviewed, sexual harassment appeared to be the most likely issue to surface. Representatives of human rights commissions added that sexual harassment might be more prevalent in the restaurant and fast food industry. In addition, representatives suggested that low paid employees are more likely to be targets of discrimination.

Also, employers raised "maternity leave" as an issue that may become a future human rights issue—because recent legislation has lengthened the time an employer must hold open a job for a person on leave.

Potential Areas of Inquiry

- What is the general prevalence of experience with a human rights complaint as defined by the Act?
- What type of complaints are most likely to be identified?

Perspectives on Discrimination

Employers identified a number of work-related discrimination issues. However, employers also seem interested in what was paraphrased by the focus group facilitator as the "grey areas." Grey areas are considered human rights issues that were difficult to define such as discriminatory practices by employers in selecting employees (appropriateness of

³ Some employers interviewed had experiences with human rights issues outside the province of Alberta.

interview questions, ability to be mobile, physical appearance, attitude, etc.).

Potential Areas of Inquiry

- Are employers unwittingly contravening human rights legislation and if so, in what ways?

Perceived Benefits of Positive Practices

Employers who participated in the focus groups were unanimous in agreeing that positive human rights practices are good for business. They most commonly cited the benefit of a "positive work environment" in attracting the best employees.

Potential Areas of Inquiry

- What are the benefits employers perceive through positive human rights practices? Which benefit(s) do they identify as most important to their organization?

Barriers to Positive Practices

"Limited resources (money and staff)" is a barrier identified by both small and large businesses in implementing positive human rights. Larger businesses also struggle with issues of policies that promote "affirmative action"⁴ and with deploying and monitoring human rights across the organization—citing the lack of suitable candidates in the former and uncertainty as to whether implementation of human rights practices were carried out by supervisors and managers in the latter.

Again, many employers describe the "negativity" that often accompanies human rights, suggesting that issues of human rights are difficult to discuss and that discussions typically arise only when there is a complaint. For example, employers may be reluctant to discuss sexual harassment with employees because they do not know how to frame the discussion in a positive light.

Potential Areas of Inquiry

- What barriers do employers identify as impeding positive human rights practices?

⁴ While "affirmative action" can have different meanings, generally, focus group participants used the term to mean increasing the presence of specific groups of people (e.g. females, Aboriginal people) in their workforce.

- How strong is the perception among employers that issues of resources and other barriers impede positive human rights practices?
- Do employers see additional grounds (besides those identified by the Act) as potential concerns for employers?
- What do employers perceive as the most efficient way to solve human rights disputes?

Accessing Information and Assistance

According to most employers interviewed, the primary source for human rights information is the Alberta Human Rights and Citizenship Commission. Large businesses added that their own legal counsel was an important source of information.

Employers offered a number of suggestions for materials they may find useful in better understanding and implementing positive human rights practices. Representatives of human rights commissions interviewed emphasized the effectiveness of face-to-face sessions with employers (seminars and workshops).

Potential Areas of Inquiry

- Where do employers go to access human rights information?
- When is human rights information sought, how is it applied, how is it delivered?
- How do employers rate various mediums and formats for offering human rights information and assistance?

Summary of Phase II Findings

During the month of November 2001, Howard Research conducted a general population survey of Alberta employers—namely, the person in a given organization who dealt with human rights and workplace discrimination matters.

The survey was carried out to supplement information gathered from March to June 2001 (Phase I of the Employer Perspectives' Research Project) which focused on gaining insights into employer/employee awareness and understanding of their respective rights and responsibilities under Alberta's human rights legislation; employer experiences with human rights in the workplace; and resources, programs or services currently used by employers.

The survey also addressed the degree of priority the Commission should place on issues information and materials formats developed for employers.

During Phase II, 562 Alberta employers were surveyed – 47% of those who identified themselves as being the person in their organization who handles human rights and workplace discrimination matters were males and 53% were females.

The majority of employers (85%) operated in the *Services-Producing* sector; followed by the *Goods-Producing* sector (14%). One employer was in the *Public Administration* sector.

Nearly half (49%) of the organizations surveyed were located in Alberta's two major centres: Calgary and Edmonton.

The number of people employed in an organization ranged from 0 to 4500. Three hundred sixteen (56%) organizations had workforces comprised of less than 10 employees.

The substantial majority of organizations (97%) did not have unionized workforces.

Importance of Human Rights

Employers generally believed that being informed about human rights in the workplace was important. Human rights were given particular importance when organizations were comprised of a large number of employees and when there was a considerable proportion of females in the workforce.

Table 1. Factors of Impact on Importance

Percentage of females in organization	Very important		Fairly important		Not very important	
	Respondents	%	Respondents	%	Respondents	%
No females	28	49.1	19	33.3	6	17.5
76 to 100% female	82	73.2	24	21.4	10	5.4
Number of employees	Very important		Fairly important		Not very important	
	Respondents	%	Respondents	%	Respondents	%
Fewer than 5	91	51.7	60	34.1	25	14.2
50 or more	55	87.3	6	9.5	2	3.2

Location of the business did not appear to influence the responses; nor did the type of business – except when the category contained a significant number of organizations with a large number of employees and a higher percentage of females (e.g., accommodation and food services).

Despite the assertion that the majority of employers believed human rights in the workplace was important, many of them did not provide human rights information to their employees. However, organizations that were unionized and comprised of large numbers of employees were more inclined to provide this information.

Most organizations have not had to respond to any human rights complaints⁵ in the past five years. The highest number of complaints responded to by a particular organization was two. And, the most frequent human rights issues addressed by employers were *sexual harassment* and *age discrimination*.

Suggestion from Employers

Many employers indicated that the Alberta Human Rights and Citizenship Commission should give priority to developing human rights information and support materials for employers. Particular issues and topics that should be addressed are:

- the different grounds that are protected under Alberta's human rights legislation,
- legal responsibilities for human rights at work and who is protected,
- hiring practices,
- duties of organizations to accommodate employees,
- preventing gender-base discrimination,
- creating work environments that are respectful of diversity, and
- developing internal strategies for resolving issues that arise in the workplace.

Preferred Formats

Employers most preferred distributing human rights information to their employees through the following formats:

- printed materials,
- comprehensive website, and
- confidential telephone hotline.

However, organizations that are unionized and comprised of a large number of employees also see some value the following formats for standardized and formal distribution of information:

- videotapes,
- workshops and presentations,
- email, and
- materials that can be integrated into the organization's newsletter, magazine, or bulleting board.

⁵ Not necessarily official complaints to the Human Rights Commission.

SECTION ONE: Phase I Context Review and Focus Groups

Introduction

This research was designed to assist Alberta Human Rights and Citizenship Commission develop targeted and beneficial human rights resources, programs, and services to meet the needs of employers who fall within the jurisdiction of the Alberta commission. Ultimately, targeted programs and a proactive approach to employer education about human rights is aimed at reducing the number of employment-related incidents of discrimination in Alberta.

Description of Phase I and Phase II

Phase I involved focus groups and a context review, specifically, the following key steps:

1. Development of an appropriate method to identify Alberta employers.
2. Development of an appropriate method to identify employers who are not currently experiencing a complaint.
3. Identification of topic areas for discussion with employers.
4. Focus group discussions with samples of employers from small and large businesses in different geographical areas of the province.
5. Identification of key informants who have potential to identify information pertinent to the context review.
6. Interviews conducted with key informants in the Alberta Human Rights and Citizenship Commission as well as commissions in other provinces.
7. Preparation and presentation of a draft report of findings from the focus groups to the Project Steering Committee.
8. Preparation of a final report to be used in drafting an employer survey.

Phase I: Context and Focus Group Strategy

Context

In preparation for the study, and specifically development of the survey instrument, a contextual review was conducted. The purpose of the literature review was to outline the awareness, experience, and educational needs of employers concerning human rights, particularly in contexts similar to Alberta.⁶ The context review was intended to identify the key human rights issues from the employer perspective and also to identify possible ways of stratifying the Alberta employer sample to be surveyed by Howard Research in fall 2001. In particular the review was intended to answer the following questions:

1. What cause employers to be concerned about human rights?
2. What do employers want and need to know about human rights?

In addition, nine members of human rights commissions were interviewed—two from Alberta and five from other jurisdictions across Canada. The purpose of these interviews was to provide the researchers with some provincial and national context to the issues; identify current practices in human rights information dissemination and assistance provided to employers; and to determine if size of business, geography, or industry type impacts prevalence of complaints.

Search Strategy

The strategy for this review excluded studies and general information published in languages other than English, and most studies published prior to 1980. Searches were performed in the following databases: Expanded Academic ASAP (1980-July 2001), Canadian Business and Current Affairs (CBCA)(1982-April 2001), Academic Search FullTEXT Elite (1984-2001), ABI Inform, and Canadian Research Index (1982-June 2001). Google, altavista and Go.com were used for Internet searches and to view web sites of provincial human rights commissions.

Following a review of the context by the Research Project Steering Committee, a second search was conducted.

⁶ Alberta's *Human Rights, Citizenship and Multiculturalism Act* stipulates that "No employer shall (a) refuse to employ or refuse to continue to employ any person, or (b) discriminate against any person with regard to employment or any term or condition of employment, because of the race, religious beliefs, colour, gender, physical disability, mental disability, marital status, age, ancestry, place of origin, family status or source of income of that person or of any other person" (subsection 7(1) of *The Act*).

(See Appendix A for an annotated reference list. See Appendix C for the search terms used with the Internet search engines and the key bibliographic databases.)

Findings

While there are numerous studies associated with human rights from the perspectives of employees (employees experiences of discrimination), there appears to be very little available literature that addresses human rights from the perspective of employers (experiences developing and implementing positive human rights practices). This finding supports the need for foundational studies concerning employer perspectives, but does little to answer the contextual questions posed by this research project. However, there is some evidence to suggest that positive human rights practices by employers may strengthen the "bottom line."

Drivers that Cause Employers to be Concerned About Human Rights

The benefit to employers in implementing positive human rights practices is not well documented through rigorous research and further study is required (Bates and Este, 2000; Gandz, 1999; Schwartz, 1992). Yet, enough case specific evidence points toward a positive linkage between positive human rights practices and increased profits through higher employee productivity and the development of greater market share:

- reduced employee turnover (Poole, cited in Bates & Este, 2000),
- reduced absenteeism (Drago & Wooden, cited in Bates & Este, 2000),
- decreased employee theft (Traub, cited in Bates & Este, 2000),
- attracting employees (Greening & Turban, 2000),
- greater capacity to meet diverse customer needs, and the
- development of new market segments (Gandz, 1998).

Arredondo (cited in Bates & Este, 2000) has identified a number of the factors that motivate organizations to embrace a human rights culture (see Table 2).

Table 2. Motivating Factors

External Motivators	Internal Motivators
Competition	Growth and expansion goals
Economic downturn or upturn	Organizational mission & goals
Demographic changes	Organizational climate
Emerging markets	Employer & customer satisfaction
Image	Employee & management development
Investor & donor satisfaction	Continuous improvement
Government regulation	Progressive thinking
Political correctness	Profitability
Production	Performance
Profitability	Complaints
Lawsuit	

Note: Model from Arredondo (cited in Bates & Este, 2000).

Osigweh (cited in Bates & Este, 2000) suggests that there are four periods when employers need to be concerned about human rights: organizational pre-entry (recruitment and pre-employment), job incumbency (employment), continued employment (retention), and post employment. He also identifies five different "approaches or perspectives" that can be applied to examining human rights in any of the four periods: philosophical, legal, collective activity, human resource rights, and management education. The *philosophical* approach addresses human rights from a moral and ethical responsibility perspective. The *legal* approach emphasizes human rights and responsibilities established under law. Similarly, the *collective activity* approach stresses employee rights as a product of collective bargaining. The *human resource rights* approach suggests human rights are ensured through human resource management. The *management education* approach emphasizes the preservation of human rights through management education and training. Bates and Este (2000) suggest that despite the variety of approaches to human rights implied in Osigweh's framework, the legal and collective activity approaches are those that continue to dominate the Canadian workplace.

What Employers Want to Know About Human Rights

Case-specific evidence would suggest that employers should be reasonably interested in gathering information on and implementing positive human rights practices. This evidence is associated with ethics training in businesses—training that includes addressing issues of human rights in the workplace. A recent survey conducted in Canada by KPMG (2000) indicated that less than half of all companies had any ethics training. Those that did invested less than four hours per year per employee. Yet, almost 30% of participating organizations had experienced an incident involving a lawsuit, media coverage or other significant discrimination problem; almost 28% had experienced an issue surrounding sexual harassment.

It would appear that published evidence of successful linkages between positive human rights practices and increased benefits to employers, has done little to motivate employers toward positive human rights practices. Or has it? At this point, it appears that the gaps in the literature make it very difficult to discern what employers understand or find significant concerning human rights issues. However, one source that had polled 900 firms suggests that employers are improving their handling (more supervisor training) of sexual harassment issues and complaints (Laabs, 1998).

Differences Among Employers (Stratification)

Employer related literature tends to favour the experiences of larger companies who have designated human resource departments. Furthermore these companies tend to be headquartered in the United States. There is a dearth of literature specific to the Canadian corporate context and for all intents and purposes it is non-existent in informing us about employer perspectives of Alberta businesses and organizations.

What we do know, though, is that approximately 65% of all Alberta businesses have fewer than ten employees. In fact, about 38% of registered businesses in Alberta have no employees and a further 20% have between one and four employees (Statistics Branch, Alberta Treasury, 2000). Other stratifications that could be considered are industry type and geographic location.

Table 3. Alberta Employer Size, Number of Employers, and Percent of Total

Employer Size	Number of Employers	% of Total
0 Employees	137,615	38.34
1-9 Employees	93,918	26.17
10-49 Employees	28,348	7.90
50-199 Employees	1990	0.55
200 + Employees	73	0.02
Unknown number of employees	96,970	27.02
ALBERTA TOTAL	358,914	100.00

Source: Statistics Branch, Alberta Treasury, 2000

Table 4. Number of Employers by Industry Type

	Industry	Number of Employers	% of Total
1.0	Goods-Producing Sector	95,908	26.72
1.1	Agriculture	33,527	9.34
1.2	Forestry & Logging with Support Activities	1,176	0.33
1.3	Mining & Oil & Gas Extraction	11,351	3.16
1.4	Utilities	518	0.14
1.5	Construction	37,116	10.34
1.6	Manufacturing	12,220	3.40
2.0	Services-Producing Sector	249,919	69.63
2.1	Wholesale Trade	19,047	5.31
2.2	Retail Trade	32,959	9.18
2.3	Transportation & Warehousing	17,036	4.75
2.4	Finance, Insurance, Real Estate & Leasing	34,023	9.48
2.5	Professional, Scientific & Technical Services	47,548	13.25
2.6	Management, Administrative & Other Services	20,417	5.69
2.7	Educational Services	4,184	1.17
2.8	Health Care & Social Assistance	19,025	5.30
2.9	Information, Culture & Recreation	9,501	2.65
2.10	Accommodation & Food Services	15,703	4.38
2.11	Other Services	30,476	8.49
3.0	Public Administration	675	0.20
4.0	Unknown	12,412	3.50
	ALBERTA TOTAL	358,914	100.00

Source: Statistics Branch, Alberta Treasury, 2000

Table 5. Alberta Employers by Geographic Region

	Geographic Region	Number of Employers	% of Total
1	SOUTHEAST REGION	12,992	3.62
2	SOUTHWEST REGION	19,190	5.35
3	CALGARY REGION	129,884	36.19
4	CENTRAL REGION	32,633	9.09
5	BATTLE RIVER REGION	12,469	3.47
6	EDMONTON REGION	91,738	25.56
7	NORTHEAST REGION	13,704	3.82
8	ATHABASCA-SLAVE LAKE	8,762	2.44
9	YELLOWHEAD REGION	10,110	2.82
10	WOOD BUFFALO REGION	100	0.03
11	PEACE RIVER REGION	17,927	4.99
12	UNKNOWN	9,405	2.62
	ALBERTA TOTAL	358,914	100.00

Source: Statistics Branch, Alberta Treasury, 2000

Perspective of Representatives of Human Rights Commissions

Ten potential interviewees were identified by the Alberta commission. These were representatives from other jurisdictions (See Appendix B). Seven interviews were completed. Two interviewees were not available for interviews during the time designated for collection of data, and one potential respondent was on leave of absence and unavailable for an interview. The two Alberta representatives interviewed assisted the researchers in better understanding the role of the Alberta Commission.

Findings

There is a sense among interviewees that the knowledge and awareness of the Act by large business and franchise business⁷ employers is much better than among employers of small businesses. In addition, knowledge and awareness of the Act generally stem from employers' experiences with complaints. Most large companies have their own human rights processes, so that settlements often occur internally. Also, in Saskatchewan, for example, the Employment Equity Program is attributed with increasing awareness among employers (again in larger organizations). One interviewee explained that while employers suggest they are unaware of the Act, several are aware of educational programs offered by the Commission. In Ontario, the Commission is reported to

⁷ Franchises where human resources assistance is offered to the franchisee.

work closely with the Human Resources Professionals Association of Ontario (HRPAO).

There seems to be little evidence to support a correlation between complaints and size and location of business, although anecdotal evidence suggests that most complaints arise from larger urban areas. Recently, there seems to be an increase in complaints related to disabilities—both mental and physical. Generally speaking, it may be that the lower paying the job is, the more likelihood there is of discrimination. In the restaurant and fast food industry, for example, sexual harassment and pregnancy are cited as big issues. The majority of complaints to the Commissions seem to arise from non-unionized workplaces. In addition, there seems to be a trend towards more complaints coming from "young" people. Some interviewees attribute this to increased awareness of human rights issues among young people.

More calls are being received requesting consultation. There is still hesitancy on the part of employers to contact commissions. Increasingly, a user-friendly approach is being used. More personal contact is encouraged. Interviewees suggest that while employers fear that disclosure of human rights issues will be harmful to them, trust in the commissions has increased over the past ten years.

Strategies that appear to be most successful to raise knowledge and awareness of the Act and of the work of the Commission relate to face-to-face seminars (full or half day) provided to employers. (The province of Manitoba typically conducts evaluations on each seminar.) Both Manitoba and Saskatchewan offer seminars on a cost recovery basis (\$25-\$30 per participant). One interviewee from Ontario reported a three-fold increase in the last three years in public presentations. In Saskatchewan the Commission offers seminars through community partners (e.g., Saskatchewan Association on Human Rights). This community group also handles the revenues for the seminars. Reasonable accommodation has been a popular topic among employers (reflective of the fact that disabilities comprise the majority of complaints in Manitoba). Manitoba also reports that through the seminars employers are able to establish relationships with Commission staff, thereby reducing the reluctance to make contact in the future. It is becoming more commonplace for Commissions to refer clients to private sector consultants for human rights education and training.⁸

Interviewees suggest that publications of Commissions need to be brief and in plain language, focusing on useful information. They suggest that two types of materials may be useful—"technical and legal."⁹ Information should be supported by real cases to increase the credibility of the

⁸ It was not made clear whether the consultants represented the commission or whether the commission was unable to meet the demand for education and training.

⁹ Technical refers to procedural and process information. Legal refers to specific legislation.

information. Also, since most information is in English, non-English-speaking employers do not find materials of the Commission very useful.

One strategy that has been successful in BC is a consultative/advisory group assembled by the Chief Commissioner. This group has been represented by employers and others (e.g., BC Chambers of Commerce, Retail Council of Canada for British Columbia) and is considered very beneficial to gain employers' perspectives. At the same time relationships with employers are being developed, so that the Commission is seen as an ally.

British Columbia is considering offering courses on human rights to employers.

Some interviewees reflected that in the future, a changed mindset among employers is required. Employers need to be more proactive in sharing their expectations concerning human rights with employees, especially at the point of hiring where overt statements should be made by employers about what behaviours are not tolerated. However, interviewees generally suggest that changes are already beginning to be seen and that change will occur to an even greater extent when employers realize that a workforce treated fairly and with respect is happier—and, a happy productive workforce increases profitability. As well, some commissions are increasingly working with employers to develop internal policies and processes to handle complaints as an option to complaints being made to a human rights commission.

Focus Group Strategy

Methodological Approach

The primary purpose of the study was to better understand the needs of Alberta employers in relation to building awareness and understanding of human rights issues and responsibilities through a survey technique. However, it was first necessary to gain insight into the key issues and variability around issues related to awareness, understanding and experiences of the Act from the perspective of employers. A qualitative approach was used to gather these perspectives.

Qualitative research methods are used to examine processes and meanings. While researchers recognize the value-laden nature of this inquiry, qualitative methods are excellent tools for identifying themes in human experience. Qualitative research does not emphasize measurement and analysis of causal relationships between variables. It attempts, first, to identify what elements constitute a particular phenomenon and the diverse meanings people bring to the phenomenon—in this case, the perspectives of Alberta employers about human rights and their knowledge and awareness of their responsibilities in relation to the legislation.

A focus group strategy was used as the primary data collection method for Phase 1.

Primary Research Questions

Research activity in Phase I was oriented to addressing the following key question:

How can the Commission increase awareness and education of employers of their responsibilities related to human rights legislation to reduce the number of employment-related incidents received by the Commission?

To address this main question, several guiding questions were used during the focus group discussions:

1. What are some of the things you know about the *Human Rights, Citizenship and Multiculturalism Act*?
2. Who is responsible for informing employees about human rights in your workplace?
3. How do you inform employees about the Act?
4. What experiences have you had with human rights in your workplace?
5. What would you say constitutes discrimination in the workplace?
6. What kinds of incidents are most likely to raise a human rights issue in your workplace?
7. What would be some of the benefits for an employer to be engaged in positive human rights practices?
8. What kind of motivators would encourage an employer to pay attention to human rights in the workplace?
9. What kinds of barriers are there for employers to implement positive human rights policies and practices?
10. Where would you go to seek information on human rights policies and practices?
11. What kinds of materials do you presently have on human rights policies and practices? Where did you get those materials? How useful are they?
12. What kinds of support would you find useful in assisting you in implementing positive human rights policies and practices?

Instrument Development

A *Focus Group Guide* was prepared for review and approval by the Alberta Human Rights and Citizenship Commission. Orienting questions for the focus groups were derived through discussion with the Project Steering Committee. Focus group questions were distributed to participants at the focus group.

Data Collection

Four focus groups were held during June and July 2001—one with representatives of large employers, one with representatives of small employers, and two with representatives from both small and large employers. Two groups were held in Edmonton (one large employers, one small employers). The third and fourth groups were held in Lethbridge and Grande Prairie (size of employers at each group varied). For the purposes of this phase of the study it was agreed upon between the researchers and the Project Steering Committee that the perspectives of employers from one large urban centre (Edmonton) would be sufficiently representative. Therefore employers in Calgary were not included in the focus groups sessions.

Focus group sessions were digitally recorded. Written summaries were prepared of each session following the focus group discussion.

The venues of the focus groups were hotels in each of the three host communities (Edmonton, Lethbridge and Grande Prairie). A complimentary breakfast was served to participants. Focus group sessions lasted approximately two hours (7:00 a.m. to 9:00 a.m.).

Recruitment of Participants

Employer participants were selected at random from the phone book and from the Edmonton Chamber of Commerce 2000 directory. Participants were selected on the basis of their position within the company to oversee human rights issues.

For each centre, a list of 20-25 businesses (small and large) was identified and sent to the Alberta Human Rights and Citizenship Commission for approval to contact.

The Alberta Commission sent a fax letter of introduction and invitation to each prospective participant. A telephone call was then made by the researchers to the prospective employer asking them to participate in the focus group. Those employers agreeing to attend were reminded of the date and location one to two days before the focus group.

Participant Demographics

Participants varied in age and background. The name of the participant and company represented by the participant were recorded. No other identifying information was solicited. (Appendix A contains the employer name and name of the participants.)

Table 6. Focus Group Participants by Site

Site	Participants
Edmonton (focus group 1 – large employers)	11
Edmonton (focus group 2 – small employers)	7
Lethbridge (focus group – mix of large and small employers)	8
Grande Prairie (focus group – mix of large and small employers)	11
Total Number of Participants	35

A representative from Alberta Human Rights and Citizenship Commission was also present at each focus group. Representatives introduced the session and were available to answer questions from the participants concerning the mandate of the Commission.

Data Analysis

Focus group data were subjected to three levels of analysis. The first level of analysis involved identifying meaning units within the total data set—statements pertinent to the topic of employers' perspectives on human rights. The second level of analysis contributed to grouping meaning units into themes common within specific individuals/groups. A third level of analysis revealed themes common across groups.

Trustworthiness

Procedures used to recruit participants and to collect, record, and analyze data across focus groups were consistent. Data should also be considered "trustworthy" in that there was significant variation across employers in relation to business type, gender, level of experience, and geographic location in the province.

Limitations of Phase I Findings

Data collected for Phase I were exclusively qualitative. Therefore any tendency to overlay quantitative expectations of reliability and validity should be avoided. Samples were not randomly selected nor assigned, and no attempt was made to measure strength of response.

The primary limitations of this phase of the study surround the representativeness of the participants (sample) in the general population.

Therefore, the following factors should be considered in extrapolating the findings beyond the sample:

- 1) Most participants were Caucasian. Ethnic variation was not considered in sample selection.
- 2) While, confirmation of attendance was solicited a day before the focus group, two groups could be considered small (6 and 7 representatives).

Findings

Knowledge of the Human Rights, Citizenship and Multiculturalism Act

Question 1. Focus Group Guide:

What are some of the things you know about the Human Rights, Citizenship and Multiculturalism Act?

Few, if any, participants reported having read the Act. Knowledge of human rights legislation has been gained mainly through company policy, publications, posters, and other materials that present specific aspects of the Act. As one participant suggested, "You don't pay much attention to the Act unless you experience a complaint."

Human resource managers (primarily representatives from large companies) reported that they understood the Act and how to use it, primarily as a result of situations where employees were engaged in disagreements with employers over disciplinary action or termination rather than issues as defined by Alberta's human rights legislation. However, these human resource specialists also suggested that most employees have little familiarity with the Act. One participant suggested that employees who are truly "not comfortable" in their work environments need the Act most.¹⁰ Also, these employees are least likely to access the Act. Human resource managers reported that, typically, these types of employees might not even recognize that their human rights are being violated.

However, the understanding by most focus group participants was that the Act focuses on employees' rights rather than employers' rights. In fact, the majority of participants from large businesses interpreted the Act as legislation that ensures that workers will have a "safe" place to work—safe implying free from discrimination, physical, verbal and emotional abuse. These participants appear to have general understanding of the purpose of the Act, even though they are unable to cite specific clauses. Where employers did exhibit knowledge of the Act was in instances where they

¹⁰ "Not comfortable" refers to employee who perceive that a complaint might threaten job security (e.g., low paid employees who are easily replaced).

hire from a certain group of employees (e.g., disabled, Aboriginal). In these instances special interest is taken in the human rights issues that surround these specific groups.¹¹

One participant (large business) commented that the Act is inappropriately named, since in this participant's organization human rights issues are dealt with far more than are citizenship and multiculturalism issues. This view was supported by several participants.

A representative from a small business suggested that small business owners typically are unaware of the Act. This is particularly true during hiring practices where a number of inappropriate questions are posed to prospective employees (e.g., marital status, intention to become pregnant). Another participant added that human rights issues are likely to surface more often during termination rather than hiring. Comments from others in the focus group supported both these positions.

Informing Employees about Human Rights

Question 2 and 3. Focus Group Guide:

Who is responsible for informing employees about human rights in your workplace?

How do you inform employees about the Act?

In general, managers inform employees about the Act and about human rights issues. In the case of large organizations, this responsibility rests with Human Resource departments. In very large businesses, human rights policies are often drafted at the national or regional level and distributed to districts and/or individual franchises.

A representative from a large business reported having a "diversity training" program.¹² Another reported a "hot line" for employees to voice human rights concerns. Other strategies reported included "quality of workplace surveys" or employee groups. In businesses where unions govern some or all employer/employee relationships, human rights is most often monitored by the union and covered in collective agreements.

Discussions about human rights often take place during employee orientation which ranges from informal comments about expectations to the distribution of formal policy and employee orientation manuals. Managers and supervisors are generally responsible to review key policies with employees, although they report that the contents in the manuals and employee handbooks may or may not be discussed with employees. In

¹¹ These employers' employee pool has a heavy weighting of a particular identifiable population and/or the employer is federally regulated.

¹² Diversity training is a broad term to include human rights and best business practices.

some instances, the employee is asked to review the contents at his/her leisure. It appears that larger organizations tend to engage in more formal dissemination and discussion of human rights information and policies.

Staff bulletin boards appear to be the most popular method of disseminating information on human rights and the Act.

In one large organization, policy was drafted after an extensive collaboration with employees to identify issues. Policies are communicated through education programs and all of the information is accessible in print and electronically. This organization also employs a full-time conflict management specialist.

In contrast, small businesses are often owned and managed by the same individual(s); therefore business planning, marketing, and human rights issues, etc., are the responsibility of an individual or small group of people. In these instances, human rights discussions typically take place at staff meetings.

Experiences with Human Rights

Question 4. Focus Group Guide:

What experiences have you had with human rights in your workplace?

Few participants reported experiencing human rights complaints that were made to organizations external to the employer. However, several were sensitive to incidents that could be considered inappropriate behaviour on the part of management or other employees in the organization. Often the issue in these cases centred around sexual harassment (inappropriate comments) or verbal abuse (yelling, degrading comments). One business has experienced an issue over termination. The complainant's case was wrongful dismissal due to gender. Another said they were involved with an age discrimination issue where employees were degrading another employee on the basis of age—calling the employee an "old man." This case was settled "out of court." A few participants had been involved in issues where a prospective employee was upset following a job application and interview process. In these instances, the prospective employee lodged a complaint that he or she was not hired for a position because of gender (one case) and place of origin (one case).

The majority of participants reported that they do everything possible to discuss and settle human rights issues before they become complaints to the Commission. A complaint "costs a great deal of money" (time and energy) even if the complaint is unsubstantiated.

A view expressed by participants was that human rights has "come a long way in the last fifteen to twenty years." These participants believe that their employees are far better informed about human rights issues than they have been in the past. However, one respondent expressed that what one

employee considers a human rights issue (e.g., a joke) is not considered serious by another. "Perception is reality," the participant emphasized.

A participant from a large business pointed out that a lot of what he deals with as the person responsible for human rights issues in his organization is really not officially human rights issues covered under legislation. Instead, the issues are often personality issues (interpersonal conflict) between employees, managers, and employers. These disagreements often end in complaints of personal harassment of one employee by another employee. Another participant supported that some employees use the Act as a "shield." This has left a negative taste in the mouths of employers and has served to distract from important human rights issues overall.

A participant from a large organization reported an issue of an employee being harassed because of race. This participant felt that the issue could have well gone to the Commission, but did not. The company subsequently adopted a proactive stance and sat down with managers and supervisors to discuss the specific issue and how similar situations could be avoided in the future.

A participant from a small business reported that religion had become such a contentious issue that a company policy was written that during lunch no one in the organization is permitted to discuss religion.

Interesting discussion occurred at one focus group in relation to providing references for employees. The central issue is what employers are allowed to share about former employees and what prospective employers can ask about a former employee. One participant disclosed that his company requires employees to sign a liability waiver before providing that employee with a reference. Another company reported that in order to avoid human rights issues altogether it does not provide references.¹³

What Constitutes Discrimination

Question 5 and 6. Focus Group Guide

What would you say constitutes discrimination in the workplace?

What kinds of incidents are most likely to raise a human rights issue in your workplace?

Participants reported a number of actions that would constitute discrimination or a violation of human rights in the workplace. While no attempt was made to quantify these actions, the most common action reported related to sexual harassment. Other human rights issues for which action would be taken included

¹³ Employer perspectives like this may suggest some confusion between what constitutes a human rights issue and what constitutes a civil liberties issue.

- sexual discrimination (including sexual orientation),
- discrimination because of religion,
- discrimination because of physical disability,
- discrimination because of mental disability,
- hiring discrimination,
- verbal abuse, and
- age discrimination.

During discussion of what constituted discrimination, the conversation often included what was termed the "grey areas."¹⁴ In one focus group grey areas referred to those discriminatory practices that centered on choice of employees based on personality, ability to be mobile, physical presentation, attitude, and affirmative action.¹⁵ In another group, grey areas referred to subtle, often unintentional, practices that limit the ability of a person to gain employment or a promotion.

Participants did not view third party testing of employees using standardized instruments a breach of human rights. A number of the larger companies reported using personality tests with employees.

Benefits to Positive Human Rights Practices

Questions 7 and 8. Focus Group Guide:

What would be some of the benefits for an employer to be engaged in positive human rights practices?

What kind of motivators would encourage an employer to pay attention to human rights in the workplace?

There was general agreement that positive human rights practices are "good for business." The most common theme expressed by participants was that positive human rights practices give the employer a competitive advantage. Positive human rights practices produce a positive work environment and positive work environments attract the best employees. This issue seems to have taken on even more significance because the current economic climate of Alberta has put a drain on the number of "good" applicants.

Another common theme related to the benefits of human rights practices centred on diversity. Where employers were actively striving for diversity of employees they were also suggesting that they were broadening their customer base by becoming more appealing to a broader range of clients.

¹⁴ In one focus group "grey areas" was a term put forward by the focus group facilitator to paraphrase comments made by participants—referring to those areas that were not clearly spelled out in the legislation and where there might be room for interpretation.

¹⁵ Affirmative action was described as filling an employee quota from a particular group—most commonly mentioned were women and aboriginal groups.

Other benefits suggested by focus group participants included

- increased productivity,
- increased customer satisfaction,
- improved the work life for all employees including owners and managers, and
- reduced theft.

Barriers to Practicing Human Rights

Question 9. Focus Group Guide:

What kinds of barriers are there for employers to implement positive human rights policies and practices?

According to participants there are several barriers to practicing positive human rights in the work place. While larger organizations have mechanisms to cover off human rights legislation, it is only one of many obligations the employer has to attend to – the others being labour and occupational and safety legislation. Therefore, being proactive about human rights (even in large organizations) is often an issue of resources. Many organizations do not have the resources to employ people who can be around all the time promoting human rights in the workplace. In some instances, human resources personnel reported receiving human rights information (best practices) from conferences and workshops. They bring this knowledge back to the organization and thereby can avoid certain problems.

Another barrier is the continued emphasis on "affirmative action." Employers (generally from larger businesses) expressed that they often feel pressured to hire from certain groups, even though they are often unable to find sufficient numbers of qualified people from these groups to satisfy their needs. Some participants said they found it difficult to balance "equal opportunity" with "affirmative action," citing instances where disgruntled employees expressed that certain employees were favored over them due to skin color or gender. Therefore, in an effort to observe affirmative action, human rights may be perceived to be compromised. The results are hard feelings and poor morale in the workplace.

Another barrier mentioned has to do with monitoring human rights across large organizations. While leadership may want to practice positive human rights, they have managers who may not. In larger organizations, it may be more difficult to deploy positive human rights policies across all levels of the organization.

One participant noted that the language surrounding human rights instills fear in both employers and employees. As this participant put it, "It is hard to talk about discrimination and sexual harassment positively." When issues are raised the first thing that comes to mind is termination or litigation.

Often human rights issues have been a negative experience with many employers so it makes it more difficult to educate these employers about the positive aspects of the legislation. Time and energy consumed in investigation and settlement is costly to employers even though the outcome may favor the employer. In other words, "While organizations might be principled, they are also businesses," and they may find it more profitable to write a cheque than to "try the case."

The issue of maternity leave appears to be a very important one. One participant predicted that the maternity leave issue will be one of those labour rights areas that may become a human rights issue. Small business owners appeared to be sensitive to this as well. Training someone and having them leave for a year can be extremely disruptive to a smaller organization with only a few employees.

One respondent from a small business organization said the biggest barrier is a lack of knowledge on the part of the small business owner of human rights issues. He went on to say that, "It is hard enough for us to keep up with the Labour Act let alone human rights." The following quote provides insight into the pressures of small business owners, especially in honouring human rights in hiring practices:

"You've got to remember that in Canada 85 percent of businesses are small business, less than 10 employees, and generating less than \$250,000. That is the majority of employers out there. You're going to have a hard time convincing these people that they can't ask this question or that question. What if they can't drive? What if they can't open the store because they have to go to daycare first? That's why I'm hiring them. Is the Act geared more toward large business?"

Accessing Information and Assistance with Human Rights Issues

Questions 10, 11, and 12. Focus Group Guide

Where would you go to seek information on human rights policies and practices?

What kinds of materials do you presently have on human rights policies and practices? Where did you get those materials? How useful are they?

What kinds of support would you find useful in assisting you in implementing positive human rights policies and practices?

Most participants reported that should they require information on human rights, they would go directly to the Alberta Human Rights and Citizenship Commission. A few participants reported that they had already visited the website or had made phone calls to the Commission.

Participants offered several suggestions for assistance from the Commission:

- Summary sheets of the Act
- Q and A
- Act needs to be readable for small business
- How can certain questions be asked appropriately
- Workshops, especially brought to the employer's place of business
- Sharing of success stories
- Facilitating exchange of ideas between industries
- Focusing on specific work place issues with human rights implications
- Presentation of case studies particular to industry and business size
- Share information on what are the appropriate boundaries of disclosure when giving or requesting a reference
- Provide more information about the multiculturalism portion of the Act
- Social marketing media campaign
- Templates for policy development
- Video conferencing¹⁸
- Videos (case studies, best practices)
- List of programs offered by the Commission
- Presenting human rights issues in positive light to remove the "fear" factor

Other Comments

Other comments (more difficult to categorize according to the focus group guide) are paraphrased below:

- This focus group really helped. I will be taking the information back to my place of business and presenting it at our next staff meeting.
- Medium and large businesses have pretty good systems for human rights, but I suspect that there are some real "horror stories" coming out of small businesses.
- One large organization reported that the union they work with employs a full-time human rights person who actively goes out looking for issues (human rights infractions).
- A small organization participant felt that members of minority groups have a better understanding of human rights.

The first comment indicates some importance of using seminar and other face-to-face group settings to disseminate messages.

The second comment suggests that this employer feels that larger businesses deal with human rights issues better than small businesses.

¹⁸ Some businesses have video conferencing capability and suggested that seminars could be conducted via this medium.

Some employers view unions as a barrier to positive human rights practices, especially if unions are perceived to use human rights issues to unjustly justify their existence and value.

The final statement implies that groups that are more likely to be discriminated against are also more likely to be more aware of their rights. This opinion is not shared by several of the focus group members who pointed out that vulnerable populations are less likely to know their rights (e.g., the working poor).

SECTION TWO: Phase II Employer Survey

Phase II: Survey of Alberta Employers

NOTE: For the purposes of this report, employer refers to the person in the organization that deals with human rights and workplace discrimination matters.

During Phase I, Alberta employers' perspectives were identified as theme units. No attempt was made to generalize these themes to the population, or to establish measures of strength (numbers of people having these attitudes and behaviours).

Phase I qualitative data was then used to inform the development of the telephone survey questionnaire developed and used in Phase II. Specifically, "How universal among Alberta employers are the themes identified in Phase I?"

While the focus group sessions during Phase I raised several potential questions, preliminary experience with recruiting employers for focus groups and testing of the survey revealed that employers may be resistant to a method of data collection that required much more than 10 minutes of their time. Following a discussion between the researchers and Project Steering Committee, two key questions were chosen to guide the survey—namely, what human rights information should the Commission place priority on developing for employers? And, what formats would employers like to receive this information? Issues of employer understanding and awareness were not tested. In addition, survey administration was changed to telephone from mail in an attempt to raise response rates.

Method

The telephone survey was administered to a random sample of 562 Alberta employers, ranging in size from 0 to 4,500 employees. The sample was representative of geographical areas of Alberta, including major urban centers and small rural districts.

This descriptive report presents findings from the survey. Cross-tabulations were carried out in order to assess differences between various employer demographics. These included gender of employer, proportion of workforce comprised of females, number of employees, level of unionization, and the industry sector in which the employer operated. Only those cross-tabulations that reveal significant differences between groups are presented. Regression analysis was conducted to distinguish between multiple correlations.

Survey Instrument

Representatives of the Alberta Human Rights and Citizenship Commission and Howard Research established a collaborative process to discuss and develop the survey instrument. The questions were designed to parallel issues raised during Phase I focus groups (see Appendix E for a copy of the survey instrument).

The survey instrument was pre-tested with 23 Alberta employers (randomly selected) from Calgary, Edmonton, Red Deer, Lethbridge, and Grande Prairie. Small modifications to the survey were made following the pre-test.

Sampling

A sample of Alberta employers was drawn from data frame available through the Alberta Business Register. This Register includes private, public and not-for-profit organizations licensed in Alberta to carry on business. The sample was stratified based on *industry sector* classifications included in the Register:

- a) Goods-Producing
- b) Service-Producing
- c) Public Administration
- d) Unknown

The sample was further factored according to *geographic location* (i.e., regions within Alberta) and *company size* (i.e., number of employees).

Interviewers obtained 562 responses from 1,332 useable phone numbers. Three hundred ninety-five (395) employers refused to participate in the survey and 375 employers could not be reached.

The overall confidence level of this study is 95% with a $\pm 5\%$ margin of error. In other words, responses provided by the sample respondents, who were drawn randomly from the population of Alberta employers, could expect to be similar to the population frame 19 out of 20 times.

While the sample used for the survey was a random sample of the population frame of Alberta employers registered, an examination of Figures 1 to 3 will show that while the sample selected is similar to the population, discrepancies exist. There are four factors likely influencing the differences:

1. The sample drawn included a large number of employers who in practical terms do not have employees. These are employers such as farms or other family operated businesses that include family members as employees. These employers were not included in the sample.

2. The sample of employers with 50 and over employees drawn was larger than the proportion of this group in the overall population to enable a sufficient number of larger employers (50+ employees) to be surveyed to provide useable information.
3. Phone numbers of the employers were not provided in the sample supplied to the researchers. Where the researchers were unable to locate the phone number of an employer, that employer was not included in the sample.
4. There may be some differences in the way that employers report demographics at the time of their provincial registration and in the responses offered on the survey (e.g. employee numbers, business location, and business type).

Survey Administration

Interviewers followed a transcript to ensure consistency of questionnaire administration. Each completed survey was entered into an ACCESS database (a common software program developed by Microsoft). The database was subsequently exported into a SPSS file for analysis (a standard software program used for statistical analysis).

Interviewers unsuccessful in establishing contact on the first call made four callback attempts before declaring a telephone number as a "no contact." This re-contact procedure is essential for increasing the response rate. Upon making contact with a potential participant, the interviewers identified themselves and the firm conducting the study. They advised the participant that responses were voluntary, that responses would be kept confidential, and that they could terminate the interview at any time (See Appendix E for exact wording).

Data Analysis

A Chi-square test for statistical significance was performed on all cross-tabulations. The data was further analyzed to determine the strength and direction of any correlations between specific variables.

Where relationships are statistically significant, p values of .05 ($p < .05$) or .01 ($p < .01$) are reported. A value of $p < .05$ indicates the probability that the obtained results are due to chance alone is less than a 5%. Similarly, $p < .01$ indicates a probability of less than 1%.

All data was tabulated and cleaned using SPSS 8.0 for Windows statistical package.

Reporting the Data

Where possible, data is reported in tables and in figures. For the most part, quantitative data is reported as N (uppercase), n (lowercase), and % (percent). "N" stands for the number of individual cases in the overall population and "n" stands for the number of individual cases in the sample. Percent (%) indicates proportion of responses.

Demographics

Gender

Interviewers completed surveys of 562 Alberta employers – 258 males and 292 females (12 respondents did not indicate their gender).

Table 7. Percent of Respondents Who Reported Gender

	n	%
Male	258	46.9
Female	292	53.1
Total	550	100.0

Female Workforce

The majority of respondents employed females in their workforce. Most of the businesses' workforces were comprised of between one to fifty percent (1% to 50%) females. Only 58 (10.5%) of employers reported having no female employees.

Table 8. Percent of Workforce Female

	n	%
No females	58	10.5
1 to 25% female	156	28.3
26 to 50%female	160	29.0
51 to 75%female	66	12.0
76 to 100%female	112	20.3
Total	552	100.0

Employer Location

Nearly half (49%) of the organizations surveyed were located in Alberta's two major centers (i.e., Calgary and Edmonton).

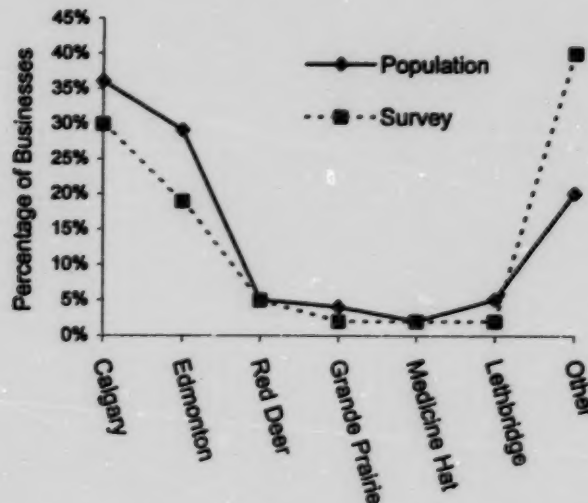
Table 9. Employer Location in the Alberta Population and Sample Population¹⁷

Community	Population		Survey	
	N	%	n	%
Calgary	127,345	35.5	168	29.9
Edmonton	103,501	28.8	108	19.2
Red Deer	19,538	5.4	27	4.8
Grande Prairie	13,077	3.6	13	2.3
Medicine Hat	8,308	2.3	12	2.1
Lethbridge	16,320	4.5	11	2.0
Other	70,825	19.7	223	39.7
Total	358,914	100.0	562	100.0

Note: Although the population and survey percentages are different, the shapes of the distributions are similar. The difference can likely be attributed to the number of employers falling into the *other* category in the survey data. Some of these employers were located in communities (i.e., Sherwood Park, Airdrie) near the larger centers and may have been included in the larger centers' population data. Because location of an employer appears to have little impact on responses, the difference between the actual population and the sample of "other" likely has little impact on the results of this study.

Table 9 and the following graph illustrates a comparison between where employers are located in the overall population of employers in Alberta and the sample of employers responding to the survey.

Figure 1. Location of Employer



¹⁷ Population data Source: Statistics Branch, Alberta Treasury, 2000

Number of Employees

The number of people employed in an organization ranged from 0 to 4,500. However, a considerable majority of employers had less than 50 people working for them. Fifty-five percent (55%) of organizations had workforces comprised of fewer than 10 employees.

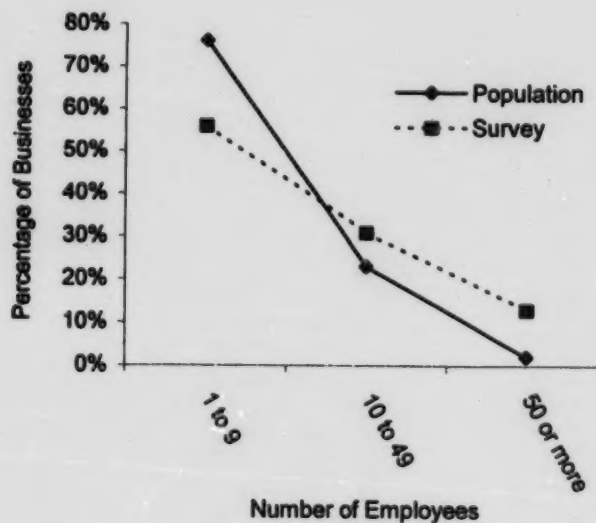
Table 10. Number of Employees

Number of Employees	Population N	Population %	Survey n	Survey %
1 to 9	93,918	75.5	316	56.2
10 to 49	28,348	22.8	173	30.8
50 plus	2,063	1.6	73	13.0
Total	124,329	100.0	562	100.0

Note: The population count of Alberta employers is 358,914. However, unlike the survey data, which all of the employee numbers are known, the population data contained a category for *no employees* with a total of 137,615; and an *unknown* category totaling 96,970. The substantial portion of employers in the unknown category for the population data likely accounts for some of the discrepancy in representativeness between the population and survey numbers.

Table 10 and the following graph illustrate a comparison between the number of employees/ employer size in the overall population of employers in Alberta and the sample of employers responding to the survey.

Figure 2. Number of Employees



Status of Workforce

Ninety-seven percent (97%) of organizations did not have the majority of their workforce unionized.

Table 11. Status of Workforce

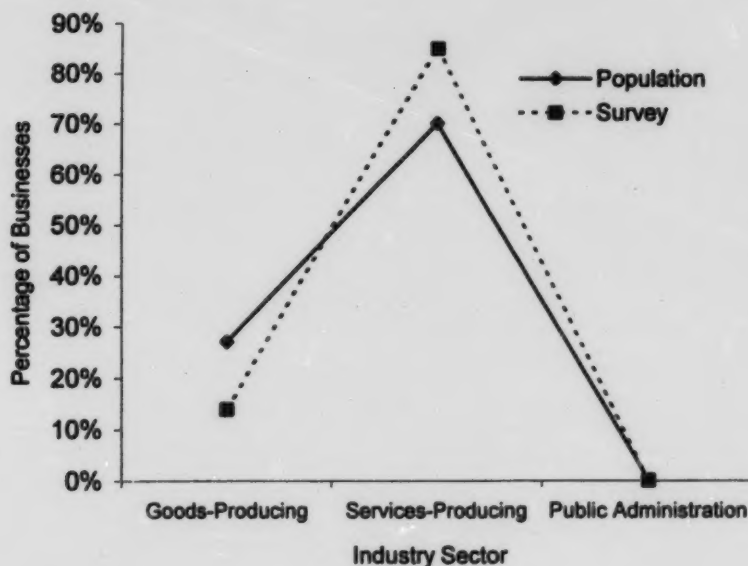
	n	%
Unionized	19	3.4
Non-unionized	538	96.6
Total	557	100.0

The private sector unionization rate for Alberta is 13%. The overall unionization rate is approximately 25% (includes public and not-for-profit sectors). In this study, unionization is not sufficiently representative of the overall population and should not be considered a reliable predictor of information from the sample to the population.¹⁸

Industry Sector

The majority of employers (85%) were in the *services-producing* sector followed by the *goods-producing* sector (14%). One employer operated in the *public administration* sector.

Figure 3. Industry Sector



¹⁸ Statistics Canada, 1999 Labour Force Survey, <http://www.alberta-canada.com/locate/skilwork.cfm>

Type of Business

More specifically, 140 (25%) businesses operated in *retail trade*, 123 (21.9%) in *other services*, and 63 (11%) in *professional, scientific, & technical services*. All business types are listed in Table 12.

Table 12. Type of Business¹⁹

Business Type	Population n	Population %	Survey n	Survey %
Good-Producing Sector	95,908	26.7	80	14
Agriculture	33,527	9.3	10	1.8
Forestry & logging with support activities	1,178	0.3	3	0.5
Mining & oil & gas extraction	11,351	3.2	16	2.8
Utilities	518	0.1	1	0.2
Construction	37,116	10.3	25	4.4
Manufacturing	12,220	3.4	25	4.4
Services-Producing Sector	249,919	69.6	480	85
Wholesale trade	19,047	5.3	33	5.9
Retail trade	32,959	9.2	140	24.9
Transportation and warehousing	17,036	4.7	25	4.4
Finance, insurance, real estate & leasing	34,023	9.5	21	3.7
Professional, scientific & technical services	47,548	13.2	63	11.2
Management, administrative & other services	20,417	5.7	7	1.2
Educational services	4,184	1.2	8	1.4
Health care and social assistance	19,025	5.3	18	3.2
Information, culture & recreation	9,501	2.6	6	1.1
Accommodation & food services	15,703	4.4	36	6.4
Other services	30,476	8.5	123	21.9
Public administration	675	0.2	1	0.2
Unknown	12,412	3.4	1	0.2
Total			562	100.0

¹⁹ Population data Source: Statistics Branch, Alberta Treasury, 2000

Demographic Relationships

Although most organizations did not have a majority unionized workforce, the likelihood of an organization being unionized increased as the number of employees increased.²⁰

Table 13. Number of Employees – Unionized

Number of employees n = 552	Unionized		Non-unionized	
	n	%	n	%
Fewer than 5	0	-	178	100.0
5 to 10	0	-	161	100.0
11 to 50	4	2.7	146	97.3
50 or more	15	23.8	48	76.2

(p<.01)

Most employees surveyed operate in the services-producing sector.

Table 14. Number of Employees – Industrial Sector

Number of employees n = 555	Goods-Producing		Services-Producing	
	n	%	n	%
Fewer than 5	17	9.5	162	90.5
5 to 10	24	14.8	138	85.2
11 to 50	23	15.2	128	84.8
50 or more	15	23.8	48	76.2

(p<.01)

Furthermore, the higher the proportion of females employed by an organization, the more likely the organization operated in the services producing sector.²¹

²⁰ A breakdown - different from the one used to compare the sample to the population - for the number of employees in an organization was used for all of the cross-tabulations. This was done because such a large number of organizations in the sample had less than 50 employees. The more precise breakdown allowed for greater detection of differences according to the size of an organization.

²¹ As indicated previously, only one employer reported to be in the Public Administration sector. It was therefore not included in any cross-tabulation analysis.

Table 15. Female Workforce – Business Sector

Workforce n = 551	Goods-Producing		Services-Producing	
	n	%	n	%
No females	17	29.3	41	70.7
1 to 25% female	33	21.2	123	78.8
26 to 50% female	21	13.1	139	86.9
51 to 75% female	3	4.5	63	95.5
76 to 100% female	6	5.4	105	94.6

($p < .01$)

Other demographic relationships were analyzed, however, no significant differences were observed.

Limitations of Phase II Study

Due to a small sample of business with 500 or more employees, results pertaining to very large organizations are limited in the extent that they can be generalized to that population.

In some instances, sub-sample sizes reported are very small. If the n (sample size) is less than 65 individual cases, the confidence level and margin of error are likely to exceed acceptable minimum standards (i.e. 90% confidence interval, margin of error $\pm 10\%$). Caution should be exercised in using statistics associated with small sample sizes to predict the responses of employers in the overall population.

Findings

The responses to the questionnaire were cross-tabulated by each of the demographic groups:

- Female workforce percentage
- Unionization of the organization
- Number of employees
- Industrial sector
- Geographic community

Cross-tabulations were conducted to determine if there were any specific groups that the Human Rights and Citizenship Commission should focus their resources towards.

As will be evident in the following sections, the size of the organization and the percentage of females in the organizations' workforce repeatedly produced significant differences in the responses; frequently in the same categories. The degree of unionization in an organization did produce some notable – but not statistically significant – results. However, there were no significant differences according to location and the industrial sector in which the business operated. Any differences, according to

business type, that did occur were in categories that contained a significant number of businesses with 25% or more females and greater than ten employees in their workforce (e.g., accommodation and food services).

Nonetheless, caution should be taken when considering these results. The size of the organization and the percentage of female workers were positively correlated with each other. Both variables impact results in the same direction (when one increases, so does the other). The questions remains: Are women attracted to larger organizations? Do larger organizations recruit more women?

Importance of Being Informed About Human Rights in the Workplace

Only those differences that were statistically significant are presented.

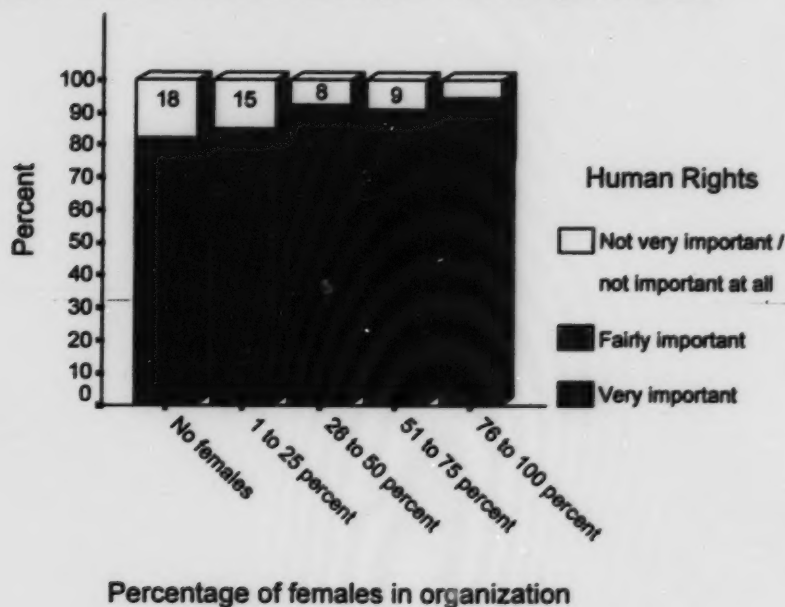
The greater the proportion of females in the workforce, the more likely employers considered that being informed about human rights was very important.

Table 16. Female Workforce – Importance of Organization Being Informed About Human Rights in the Work Place

Percentage of females in organization n = 547	Very important		Fairly important		Not very/not at all important	
	n	%	n	%	n	%
No females	28	49.1	19	33.3	6	17.5
1 to 25% female	83	53.2	50	32.1	23	14.7
26 to 50% female	96	61.5	48	30.8	12	7.7
51 to 75% female	45	68.2	15	22.7	6	9.1
76 to 100% female	82	73.2	24	21.4	10	5.4
Overall sample	334	61.1	156	28.5	57	10.4

(p<.05)

Figure 4. Informed About Human Rights – Percentage of Females



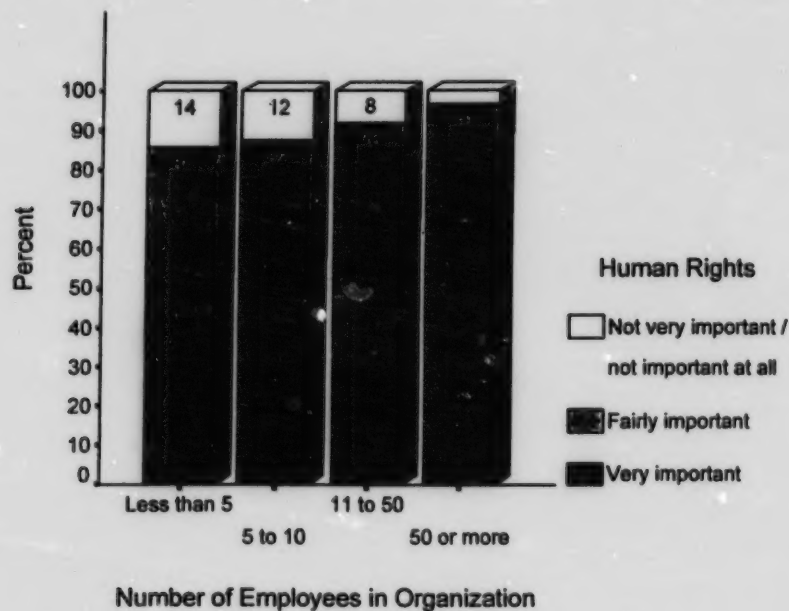
The level of importance that employers placed on being informed about human rights in the workplace also increased as the number of employees in an organization increased.

Table 17. Number of Employees – Importance of Organization Being Informed About Human Rights

Number of employees n = 551	Very important		Fairly important		Not very/not at all important	
	n	%	n	%	n	%
Fewer than 5	91	51.7	60	34.1	25	14.2
5 to 10	89	55.3	52	32.3	20	12.4
11 to 50	99	65.6	4	26.5	12	7.9
50 or more	55	87.3	6	9.5	2	3.2

(p<.01)

Figure 5. Informed About Human Rights – Number of Employees



Provision of Human Rights Information

Only those differences that were statistically significant are presented. The majority of employers (66%) do not provide human rights information to their employees.

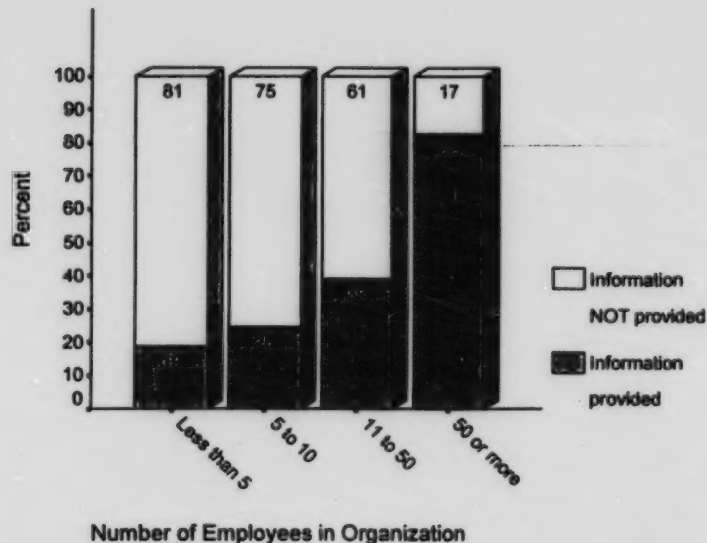
Figure 6. Provision of Human Rights Information



However, the number of employees in an organization appeared to be a factor in the distribution of information. As the size of the workforce

increased, the likelihood that employers distributed human rights information to their employees also increased.

Figure 7. Number of Employees in Organization – Provide Human Rights Information



Information was also more likely to be distributed in organizations where the majority of the workforce was unionized.

Table 18. Status of Workforce - Provide Human Rights Information

Status of workforce n = 552	Information distributed		Information <u>not</u> distributed	
	n	%	n	%
Majority unionized	16	84.2	3	15.8
Majority non-unionized	170	31.9	363	68.1
Overall sample	186	33.7	366	66.3

A number of employers stated that they provided human rights information upon the request of an employee.

When human rights information was provided to employees it included the following topics:²²

1. General information
2. Current Alberta labour laws/employment standards

²² These topics are themes that were derived from 170 responses, and as such, are not subject to cross-tabulations. They are ordered from the most to least common themes.

3. Health benefits and maternity leave
4. Sexual harassment/harassment
5. Discrimination – sexual discrimination, ethnic/racial discrimination, or discrimination based on physical or mental disabilities

Reports and Complaints

Only those differences that were statistically significant are presented.

Employers have responded to only a small number of complaints over the past five years. Forty-one (41) employers responded to a total of 27 complaints; two (2) complaints being the highest number any organization received.²³

Table 19. Human Rights Complaints in the Past Five Years

	n	%
Yes	41	7.6
No	497	92.4
Total	538	100.0

Sexual harassment was the most frequent type of complaint made to organizations. *Age discrimination* was next followed by *gender-based issues*.

Table 20. Types of Complaints

	n	%
Sexual harassment	11	42.3
Age discrimination	5	19.2
Other gender-based issues	3	11.5
Differences in race or colour	2	7.7
People with physical disabilities	2	7.7
Differences in religious beliefs	1	3.8
Sexual orientation	1	3.8
Source of income	1	3.8
Total	26	100.0

The likelihood of an organization receiving a human rights complaint increased as the number of employees in an organization increased.

²³ These are employer reported complaints and do not necessarily include official complaints to the Commission. In addition, the number of complaints was too small to conduct any significant or reliable cross-tabulations.

Table 21. Number of Employees – Complaints

Number of employees n = 532	Complaints		No complaints	
	n	%	n	%
Fewer than 5	3	1.8	168	98.2
5 to 10	6	3.8	151	96.2
11 to 50	18	12.2	130	87.8
50 or more	13	23.2	43	76.8
Overall sample	40	7.5	492	92.5

(p<.01)

A very small minority of employers (n =11, 2%) have noticed, or had reports of, discrimination in the workplace that they felt could be associated with the September 11, 2001, terrorist attacks on New York City and The Pentagon in Washington D.C.

Information and Support Materials for Employers

Employers were asked whether the Alberta Human Rights and Citizenship Commission should give *low*, *medium*, or *high* priority to developing material that would help the employer's organization better understand selected human rights issues.

High Priority

Employers indicated that *high priority*²⁴ should be given to developing material related to the following issues:

- the different grounds that are protected under Alberta's human rights legislation,
- legal responsibilities for human rights at work and who is protected,
- hiring practices that are prohibited and those that are acceptable,
- the duty required of organizations to accommodate employees,
- addressing and preventing gender-based discrimination,
- creating environments that are respectful of human rights and diversity, and
- developing an internal strategy for resolving human rights issues that arise in the workplace.

Medium Priority

Employers further indicated that at least a *medium*²⁵ level of priority should be given to developing material related to the following issues:

- job requirements that are prohibited and those that are acceptable,
- permissible medical and drug testing,

²⁴ Issues where over 40% of the respondents indicated high priority.

²⁵ Issues where at least 60% of respondents rated the issue either high or medium but greater than 25% of the respondents assigned the issue as low priority.

- the impact of human rights on employee benefits,
- the Alberta Human Rights and Citizenship Commission's process for resolving and settling complaints of discrimination,
- developing self-assessment tools or checklists for reviewing human rights policies and practices in the workplace, and
- updates on recent human rights decisions by the courts and human rights panels and real-life cases.

None of the issues was rated as *low priority* by more than 45% of the employers. However, one issue received a fairly low priority rating:

- assisting employers and employees to deal with issues of discrimination or distrust that may arise in the aftermath of the September 11 terrorist attacks.

Table 22. Development of Human Rights Materials for Employers by Priority

Range: n=549 to n=556	High priority		Medium priority		Low priority	
	n	%	n	%	n	%
Legal responsibilities	339	61.3	166	30.0	48	8.7
Duty to accommodate employees	326	58.7	152	27.4	77	13.9
Hiring practices	307	55.4	157	28.3	90	16.2
Preventing gender-based discrimination	278	50.2	139	25.1	137	24.7
Protection under human rights legislation	264	47.5	206	37.1	86	15.5
Creating environments respectful of diversity	253	45.8	185	33.5	115	20.8
Internal strategy for resolving human rights issues	252	45.7	192	34.8	107	19.4
Impact on employee benefits	209	37.9	177	32.1	166	30.1
Process for resolving and settling complaints	199	36.1	212	38.5	140	25.4
Job requirements which are prohibited/acceptable	198	35.7	173	31.2	183	33.0
Self-assessment tools or checklists	192	35.0	218	39.7	139	25.3
Medical and drug testing	184	33.3	152	27.5	217	39.2
Updates on recent human rights decisions	155	28.1	207	37.6	189	34.3
Issues that may have arisen due to the Sept. 11 terrorist attacks	139	25.2	165	29.9	247	44.8

Developing Materials and Demographics

Only those differences that were statistically significant are presented.

Female Workforce

The proportion of females in an employer's workforce appears to be related to the level of priority an employer places on developing materials regarding the above issues.

In particular, employers with fewer than 25% of their workforce comprised of females (or no female employees at all) were not as likely to state that material related to *hiring practices* should be given high priority.

Table 23. Female Workforce – Hiring Practices

Workforce n = 544	High priority		Medium priority		Low priority	
	n	%	n	%	n	%
No females	24	42.1	25	43.9	8	14.0
1 to 25% female	72	46.2	49	31.4	35	22.4
26 to 50% female	94	61.0	44	28.6	16	10.4
51 to 75% female	43	65.2	12	18.2	11	16.7
76 to 100% female	69	62.2	24	21.6	18	16.2
Overall sample	302	55.5	154	28.3	88	16.2

(p<.01)

Additionally, employers with female employees were more likely to state that high priority should be given to developing materials about the duty required of organizations to accommodate employees.

Table 24. Female Workforce – Accommodating Employees

Workforce n = 545	High priority		Medium priority		Low priority	
	n	%	n	%	n	%
No females	25	43.1	23	39.7	10	17.2
1 to 25% female	86	55.5	48	31.0	21	13.5
26 to 50% female	106	68.4	36	23.2	13	8.4
51 to 75% female	36	54.5	17	25.8	13	19.7
76 to 100% female	68	61.3	23	20.7	20	18.0
Overall sample	321	58.9	147	27.0	77	14.1

(p<.05)

Similarly, these employers were more likely to give high priority to developing an internal strategy for resolving human rights issues that arise in the workplace.

Table 25. Female Workforce – Internal Strategy for Resolving Human Rights Issues

Workforce n = 541	High priority		Medium priority		Low priority	
	n	%	n	%	n	%
No females	14	24.6	33	57.9	10	17.5
1 to 25% female	70	45.2	51	32.9	34	21.9
26 to 50% female	70	45.2	62	40.0	23	14.8
51 to 75% female	33	50.0	18	27.3	15	22.7
76 to 100% female	61	56.5	23	21.3	24	22.2
Overall sample	248	45.8	187	34.6	106	19.6

(p<.01)

Employers whose workforce is composed of 51% to 75% females were more likely to place high priority on addressing and preventing gender-based discrimination, and creating environments that are respectful of human rights and diversity.

Table 26. Female Workforce – Creating Environments Respectful of Human Rights and Diversity

Workforce n = 543	High priority		Medium priority		Low priority	
	n	%	n	%	n	%
No females	21	36.2	26	44.8	11	19.0
1 to 25% female	59	38.1	57	36.8	39	25.2
26 to 50% female	76	49.0	57	36.8	22	14.2
51 to 75% female	39	59.1	11	16.7	16	24.2
76 to 100% female	54	49.5	29	26.6	26	23.9
Overall sample	249	45.9	180	33.1	114	21.0

(p<.01)

Table 27. Female Workforce – Addressing and Preventing Gender-based Discrimination

Workforce n = 544	High priority		Medium priority		Low priority	
	n	%	n	%	n	%
No females	13	22.8	17	29.8	27	47.4
1 to 25% female	71	45.8	46	29.7	38	24.5
26 to 50% female	88	56.8	39	25.2	28	18.1
51 to 75% female	40	60.6	14	21.2	12	18.2
76 to 100% female	60	54.1	20	18.0	31	27.9
Overall sample	272	50.0	136	25.0	136	25.0

(p<.01)

The greater the proportion of females in an organization's workforce, the more likely they were to place high priority on developing materials that explained the Alberta Human Rights and Citizenship Commission's process for resolving and settling complaints of discrimination.

Table 28. Female Workforce – Commission's Process for Resolving and Settling Complaints

Workforce n = 542	High priority		Medium priority		Low priority	
	n	%	n	%	n	%
No females	14	24.1	30	51.7	14	24.1
1 to 25% female	50	32.3	53	34.2	52	33.5
26 to 50% female	60	38.7	64	41.3	31	20.0
51 to 75% female	25	37.9	22	33.3	19	28.8
76 to 100% female	48	44.4	38	35.2	22	20.4
Overall sample	197	36.3	207	38.2	138	25.5

(p<.05)

The greater the proportion of females in an organization's workforce, the more likely they were to place high priority on developing self-assessment tools or checklists for reviewing human rights policies and practices in the workplace.

Table 29. Female Workforce – Self-assessment Tools and Checklists

Workforce n = 540	High priority		Medium priority		Low priority	
	n	%	n	%	n	%
No females	9	15.8	35	61.4	13	22.8
1 to 25% female	47	30.3	55	35.5	53	34.2
26 to 50% female	58	37.7	62	40.3	34	22.1
51 to 75% female	26	39.4	24	36.4	16	24.2
76 to 100% female	49	45.4	39	36.1	20	18.5
Overall sample	189	35.0	215	39.8	136	25.2

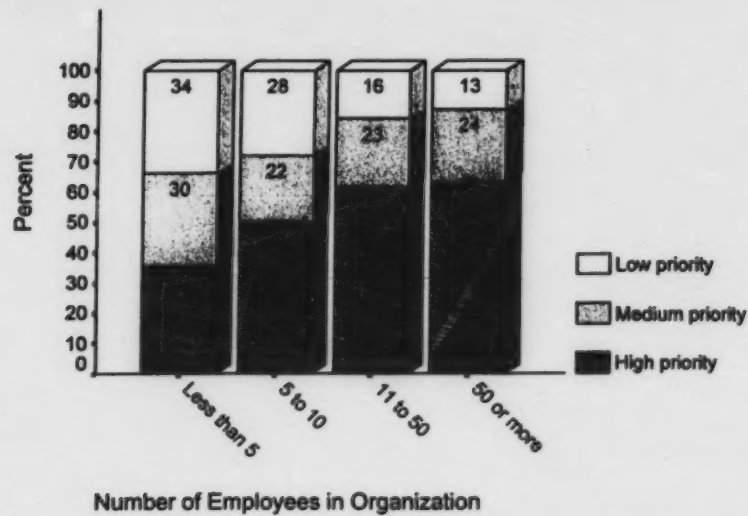
(p<.01)

Size of Workforce

The number of employees in an organization also appears to play a role in the level of priority an employer places on the Commission developing materials to address the above noted human rights issues.

The larger the workforce, the more likely employers would place high priority in developing material to address and prevent gender-based discrimination.

Figure 8. Number of Employees – Addressing and Preventing Gender-based Discrimination



Employers with larger workforces were also more likely to state that material about creating environments that are respectful of human rights and diversity should be given priority.

Table 30. Number of Employees – Creating Environments Respectful of Human Rights and Diversity

Number of employees n = 547	High priority		Medium priority		Low priority	
	n	%	n	%	n	%
Fewer than 5	69	39.7	71	40.8	34	19.5
5 to 10	64	40.3	53	33.3	42	26.4
11 to 50	76	50.3	45	29.8	30	19.9
50 or more	41	65.1	14	22.2	8	12.7
Overall sample	250	45.7	183	33.5	114	20.8

(p<.01)

The level of priority that employers placed on developing an internal strategy for resolving human rights issues increased as the number of people working for the organization increased.

Table 31. Number of Employees – Internal Strategy for Resolving Human Rights Issues

Number of employees n = 545	High priority		Medium priority		Low priority	
	n	%	n	%	n	%
Fewer than 5	70	40.5	72	41.8	31	17.9
5 to 10	62	39.2	53	33.5	43	27.2
11 to 50	78	51.7	44	29.1	29	19.2
50 or more	38	60.3	21	33.3	4	6.3
Overall sample	248	45.5	190	34.9	107	19.6

(p<.01)

Employers with 50 or more employees were more likely to place high priority on developing materials that addressed which job requirements (such as height and weight requirements) are prohibited and those which are acceptable.

Table 32. Number of Employees – Job Requirements

Number of employees n = 548	High priority		Medium priority		Low priority	
	n	%	n	%	n	%
Less than 5	61	34.9	62	35.4	52	29.7
5 to 10	50	31.3	50	31.3	60	37.5
11 to 50	48	31.8	43	28.5	60	39.7
50 or more	36	58.1	16	25.8	10	16.1
Overall sample	195	35.6	171	31.2	182	33.2

(p<.01)

The larger the workforce, the more likely employers were to place high priority on developing materials that that addressed permissible medical and drug testing, and the impact of human rights on employee benefits.

Table 33. Number of Employees – Medical and Drug Testing

Number of employees n = 547	High priority		Medium priority		Low priority	
	n	%	n	%	n	%
Less than 5	53	30.3	45	25.7	77	44.0
5 to 10	46	28.9	44	27.7	69	43.4
11 to 50	52	34.4	50	33.1	49	32.5
50 or more	30	48.4	12	19.4	20	32.3
Overall sample	181	33.1	151	27.6	215	39.3

(p<.05)

Table 34. Number of Employees – Employee Benefits

Number of employees n = 546	High priority		Medium priority		Low priority	
	n	%	n	%	n	%
Less than 5	39	22.3	51	29.1	85	48.6
5 to 10	61	38.6	47	29.7	50	31.6
11 to 50	69	45.7	59	39.1	23	15.2
50 or more	37	59.7	19	30.6	6	9.7
Overall sample	206	37.7	176	32.2	164	30.1

(p<.01)

Organizations with 50 or more employees were more likely to place high priority on developing materials that addressed updates on recent human rights decisions by the courts and human rights panels, and real-life cases.

Table 35. Number of Employees – Updates on Human Rights Decisions

Number of employees n = 546	High priority		Medium priority		Low priority	
	n	%	n	%	n	%
Less than 5	48	27.6	59	33.9	67	38.5
5 to 10	42	26.6	54	34.2	62	39.2
11 to 50	39	25.8	65	43.0	47	31.1
50 or more	25	39.7	26	41.3	12	19.0
Overall sample	154	28.2	204	37.4	188	34.4

(p<.05)

A small number of employers (n = 23) suggested that the Commission should give priority to developing materials in relation to the following additional human rights issues:²⁶

1. *Educating young people about human rights.* Of particular mention was educating young people about tolerance for other racial and cultural groups (e.g. "educate our children – tolerance of colour and race groups.").
2. *The rights of homosexuals.*
3. Further topics included equal pay and equal opportunities (unspecified for which particular groups), mental health issues, and increased emphasis on learning disabilities.
4. *Define "grey areas."* (No further specificity provided).

Formats for Distributing Information

Employers were asked whether they would *definitely use*, *probably use*, *probably would not use*, or *definitely would not use* specified formats for distributing information about human rights in the workplace.

²⁶ Themes derived from responses to open-ended question.

Only those differences that were statistically significant are presented.

Formats Employers Would Use

The majority of employers stated that they would use the following formats to distribute human rights information to their employers:

- printed materials,
- comprehensive website, and
- confidential hotline for employers.

Table 36. Preferred Formats

Format Range: n = 552 to n = 553	Definitely use		Probably use		Probably would <u>not</u> use		Definitely would <u>not</u> use	
	n	%	n	%	n	%	n	%
Printed materials	291	52.6	188	34.0	44	8.0	30	5.4
Comprehensive website	244	44.2	153	27.7	71	12.9	84	15.2
Confidential hotline	208	37.7	179	32.4	74	13.4	91	16.5

Larger organization were more likely to state that they would *definitely* use a comprehensive website.

Table 37. Number of Employees – Website

Number of employees n = 547	Definitely use		Probably use		Probably would <u>not</u> use		Definitely would <u>not</u> use	
	n	%	n	%	n	%	n	%
Fewer than 5	56	32.6	59	34.3	26	15.1	31	18.0
5 to 10	63	38.9	49	30.2	20	12.3	30	18.5
11 to 50	87	58.0	31	20.7	13	8.7	19	12.7
50 or more	35	55.6	12	19.0	12	19.0	4	6.3
Overall sample	241	44.1	151	27.6	71	13.0	84	15.3

p<.01)

There were no other significant differences between the demographic groupings in regards to whether employees would use the above formats.

Formats Employers Would Not Use

The majority of employers indicated that they would not use the following formats:

- video tapes and
- workshops and presentations.

Table 38. Non-preferred Formats

Format Range: n = 547 to n = 550	Definitely use		Probably use		Probably would <u>not</u> use		Definitely would <u>not</u> use	
	n	%	n	%	n	%	n	%
Videotapes	36	6.6	112	20.5	210	38.4	189	34.6
Workshops and presentations	34	6.2	83	15.1	197	35.8	236	42.9

However, this trend reverses somewhat as the number of employees in an organization increases. For example, nearly half the employers who employed 50 or more people indicated that they would use *videotapes* to distribute human rights information.

Table 39. Number of Employees – Videotapes

Number of employees n = 542	Definitely use		Probably use		Probably would <u>not</u> use		Definitely would <u>not</u> use	
	n	%	n	%	n	%	n	%
Fewer than 5	12	7.1	33	19.4	73	42.9	52	30.6
5 to 10	3	1.9	30	18.6	59	36.6	69	42.9
11 to 50	13	8.8	27	18.2	50	33.8	58	39.2
50 or more	7	11.1	21	33.3	25	39.7	10	15.9
Overall sample	35	6.5	111	20.5	207	38.2	189	34.8

(p<.01)

Furthermore, half the employers who have more than 50 employees stated that they would also use *workshops and presentations*.

Table 40. Number of Employees – Workshops and Presentations

Number of employees n = 545	Definitely use		Probably use		Probably would <u>not</u> use		Definitely would <u>not</u> use	
	n	%	n	%	n	%	n	%
Fewer than 5	5	2.9	20	11.6	56	32.6	91	52.9
5 to 10	6	3.7	19	11.8	59	36.6	77	47.8
11 to 50	11	7.4	22	14.8	60	40.3	56	37.6
50 or more	12	19.0	20	31.7	19	30.2	12	19.0
Overall sample	34	6.2	81	14.9	194	35.6	236	43.3

(p<.01)

An employer's preference for videotapes and workshops and presentations to distribute information to employees also appears to be influenced by whether the organization is unionized.²⁷

The majority of unionized organizations (63%) would use *videotapes* to distribute information.

²⁷ These results should be viewed with caution, given that unionized organizations comprise such a small portion of the survey sample (n = 19). As a result, statistical significance cannot be reliably determined.

Table 41. Status of Workforce – Videotapes

Status of workforce n = 543	Definitely use		Probably use		Probably would <u>not</u> use		Definitely would <u>not</u> use	
	n	%	n	%	n	%	n	%
Unionized	4	21.1	8	42.1	7	36.8	0	-
Non-unionized	30	5.7	104	19.8	201	38.4	189	36.1
Overall sample	34	6.3	112	20.6	208	38.3	189	34.8

The majority of unionized organizations (58%) would also use *workshops and presentations*.

Table 42. Status of Workforce – Workshops and Presentations

Status of workforce n = 546	Definitely use		Probably use		Probably would <u>not</u> use		Definitely would <u>not</u> use	
	n	%	n	%	n	%	n	%
Unionized	2	10.5	9	47.4	5	26.3	3	15.3
Non-unionized	31	5.9	74	14.0	191	36.2	231	43.8
Overall sample	33	6.0	83	15.2	196	35.9	234	42.9

Impact of Employer Size on Other Formats

Approximately 45% to 55% of employers stated that they would use the following formats to distribute human rights information to their employees:

- posters and flyers;
- e-mail information service; and
- materials that can be integrated into the organization's newsletter, magazine, or bulletin board.

Table 43. Posters and Flyers

n = 551	Definitely use		Probably use		Probably would <u>not</u> use		Definitely would <u>not</u> use	
	n	%	n	%	n	%	n	%
Overall sample	89	16.2	160	29.0	134	24.3	168	30.5

Table 44. E-mail

n = 552	Definitely use		Probably use		Probably would <u>not</u> use		Definitely would <u>not</u> use	
	n	%	n	%	n	%	n	%
Overall sample	159	28.8	151	27.4	88	15.9	154	27.9

Table 45. Materials that can be integrated into the organization's newsletter, magazine or bulletin board

n = 551	Definitely use		Probably use		Probably would <u>not</u> use		Definitely would <u>not</u> use	
	n	%	n	%	n	%	n	%
Overall sample	138	25.0	179	32.5	89	16.2	145	26.3

There is no clear indication of whether or not employers would use these formats when the responses are analyzed according to the entire sample. However, when these formats are cross-tabulated by both the *number of employees* in an organization, and whether the organization is *unionized*, significant differences emerge for E-mail and materials that can be integration into the organization's newsletter, magazine, or bulletin board.

When organizations were comprised of more than 10 employees, 60 to 70% of employers stated that they would probably use email to distribute information. Additionally, more than 75% of organizations that employed large numbers of employees reported that they would utilize materials that can be integrated into their newsletter, magazine, or bulletin board.

Table 46. Number of Employees – E-mail

n = 547	Definitely use		Probably use		Probably would <u>not</u> use		Definitely would <u>not</u> use	
	n	%	n	%	n	%	n	%
Fewer than 5	35	20.3	42	24.4	39	22.7	56	32.6
5 to 10	44	27.2	41	25.3	28	17.3	49	30.2
11 to 50	52	34.7	47	31.3	11	7.3	40	26.7
50 or more	25	39.7	20	31.7	9	14.3	9	14.3
Overall sample	156	28.5	150	27.4	87	15.9	154	28.2

Table 47. Number of Employees – Materials that can be integrated into the organization's newsletter, magazine or bulletin board

n = 546	Definitely use		Probably use		Probably would <u>not</u> use		Definitely would <u>not</u> use	
	n	%	n	%	n	%	n	%
Less than 5	20	11.6	64	37.2	35	20.3	53	30.8
5 to 10	28	17.4	57	35.4	23	14.3	53	32.9
11 to 50	58	38.7	37	24.7	20	13.3	35	23.3
50 or more	31	49.2	18	28.6	11	17.5	3	4.8
Overall sample	137	25.1	176	32.2	89	16.3	144	26.4

(p<.01)

Employers from organizations that are both unionized and are comprised of large numbers of employees are more likely to state that they would utilize these formats.

Table 48. Unionized – Poster

n = 547	Definitely use		Probably use		Probably would <u>not</u> use		Definitely would <u>not</u> use	
	n	%	n	%	n	%	n	%
Union	10	52.6	6	31.6	1	5.3	2	10.5
No Union	78	14.8	151	28.6	133	25.2	166	31.4
Overall sample	88	16.1	167	28.7	134	24.5	168	30.7

Table 49. Unionized – E-mail

n = 548	Definitely use		Probably use		Probably would <u>not</u> use		Definitely would <u>not</u> use	
	n	%	n	%	n	%	n	%
Union	12	63.2	4	21.1	3	15.8	0	-
No Union	146	27.6	147	27.8	83	15.7	153	28.9
Overall sample	158	28.8	151	27.6	86	15.7	153	27.9

Table 50. Unionized – Materials that can be integrated into the organization's newsletter, magazine or bulletin board

n = 547	Definitely use		Probably use		Probably would <u>not</u> use		Definitely would <u>not</u> use	
	n	%	n	%	n	%	n	%
Union	11	57.9	6	31.6	1	5.3	1	5.3
No Union	126	23.9	171	32.4	87	16.5	144	27.3
Overall sample	137	25.0	177	32.4	88	16.1	145	26.5

Additional Human Rights Concerns

A small number of employers (n = 56) offered additional comments about the survey and human rights issues in general:²⁸

1. *The survey was a positive achievement.*
A number of respondents indicated that they were pleased with the survey and with the Commission's initiative to conduct the survey (e.g., "Delighted someone is doing this type of survey. It helps to enlighten employees." "Need to be educated on cultural differences.")
2. *Human rights issues are a waste of government resources and harmful to businesses.*

²⁸ These are common themes derived from employer comments offered at the conclusion of the survey. Although they are listed in order of the most common to least common, they are not subject to statistical analysis. Additionally, a single employer's comments may have included more than one of the themes, depending on how extensive their comments were. Caution should be taken when considering these themes. Although they may have significant meaning, they are not necessarily reflective of a significant number of respondents.

A small number of employers that were surveyed believed that the survey was a waste of time and money for both the employer and taxpayers. Furthermore, there was some contention among these particular employers that human rights issues were harmful to their business, particularly where government intervention was involved. Some employers preferred to address any problems informally within their organization (e.g., *"I think government intervention is killing small businesses."* *"As a small company, it has always been my contention to deal with people on an individual basis without a lot of processes and procedures to follow."*)

3. *Make information about human rights more concrete and readily available.*

Some employers expressed concern that information on human rights was not clearly defined and was difficult to access. Employers suggested the construction of a website with current and relevant information – particularly when it involves changes to legislation. As well, they suggested a telephone hotline to answer questions. Employers also suggested that requested information should be delivered in a timely manner.

An analysis was conducted to determine if there was any specific profiles that could be attributed to respondents that provided the above comments. However, no significant demographic differences were found between this sub-group and the entire sample. That is, the demographic characteristics were the same for both groups.

Appendix A: Context Review Literature Sources

First Search

Bates, M., & Este, D. (2000). *Creating workplace environments that reflect human rights values*. Calgary, Alberta: Cultural Diversity Institute, University of Calgary.

- Literature review exploring a business case for human rights.
- Exploration of the theory surrounding human rights shows that this issue has legal, moral, and bureaucratic aspects.
- Due to an increase of women and minorities in the workplace, there is an increasing focus on issues of human rights.
- Many corporations have human rights conflicts, but few have resources devoted expressly to human rights training.
- Employee turnover, absenteeism, and theft are directly or indirectly related to human rights issues.
- Costs could be reduced and wages could rise for all employees if workplace discrimination was eliminated.
- Most models for implementing human rights in the workplace include "executive leadership, linkages to the corporate business plan, administrative support, participation of all employees and ongoing measurement."
- Human rights must be incorporated throughout the organization, not just in the human resources branch, for an organization to realize the benefits.

Gandz, J. (1998). *A business case for diversity*. London, ON: University of Western Ontario. Retrieved June 22, 2001, from the World Wide Web:

http://www.equalopportunity.on.ca/english_q/documents/BusCase.html.

- Literature review demonstrating the business case for diversity in the workplace.
- Focuses on American literature because there is little research from Canada.
- Discusses benefits an organization may realize by implementing diversity programs.
- Discusses implementation strategies for diversity.
- There is a lack of concrete research demonstrating the benefits of diversity to an organization's "bottom line."
- Most research is in the form of case studies.
- Presents four case studies demonstrating possible benefits of diversity.

Greening, D.W., & Turban, D.B. (2000). Corporate social performance as a competitive advantage in attracting a quality workforce. *Business and Society*, 39 (3). Retrieved July 9, 2001, from Expanded Academic ASAP database.

- Survey of a sample of business college students in the Midwest United States (n=292) to determine whether different corporate social policies attracted students to corporations
- Findings suggest that corporate social policy influences attractiveness of corporations to potential job applicants.
- Factors explored, and found to influence attractiveness, were "quality of products and services, treatment of women and the environment, and issues of diversity."

Hilliard-Jones, A. (1996). Diversity: a global business issue. *Fortune* (April 15): Special Advertising Section.

KMPG. (2000). KMPG ethics survey 2000: Managing for ethical practice. Retrieved July 24, 2001, from the World Wide Web:
<http://www.kpmg.ca/english/services/fas/publications/ethicssurvey2000.html>

- Questionnaire survey of CEO's of 1000 Canadian corporations with large numbers of employees and large revenues. Also surveyed 300+ public sector organizations.
- 41.6% have a senior level officer responsible for managing ethics.
- 86.4% believe they have open communication channels with no fear of reprisal.
- 20.8% have a confidential means for reporting complaints.
- 39% have an ethics training program.
- "Of the organizations surveyed that provide ethics training to managers and senior managers, less than 10.0% provide more than eight hours per year, and almost one-third provide one hour or less of ethics training per year. For employees other than management who receive ethics training, 42.1% receive one hour or less per year, although almost as many receive one to four hours."
- Most common emerging issues are information security, privacy, environment, governance, and conflict of interest.

Schwartz, F. and Zimmerman, J. (1992). *Breaking with tradition: Women and work, the new facts of life*. New York: Warner Books.

SRHM. (2001). *Impact of Diversity Initiatives on the Bottom Line*. Alexandria, VA: Author.

- Survey of Fortune magazine's "Top 100 Companies to Work For List" to explore aspects of diversity in these companies.
- Taken from abstract ONLY

Second Search

Currie, R., & Peters, Y. (1996). Accommodation of employees with disabilities in the federal public service: a case study approach. *Unequal Access*. Ottawa: Canadian Human Rights Commission.

- Notes taken from abstract ONLY
- This study focuses on the stories of employees, but "it is recognized that there is also an employer perspective which may offer a different analysis of the situation."

Holzer, H.J. (1998). Why do small establishments hire fewer blacks than large ones? *The Journal of Human Resources* 33 (4), 896-914.

- Addresses demographics of human rights issues
- Telephone survey of employers (n=3,000+) in Atlanta, Boston, Detroit, and Los Angeles between June and May 1994.
- Smaller establishments hire smaller percentages of black employees than do larger establishments.
- Smaller establishments hire much smaller percentages of their black applicant pools.
- Fraction of blacks hired rises with establishment size for firms receiving at least some black applicants.
- Firms located in central cities receive more black applicants and also hire more black employees, even relative to the numbers of applicants they receive. The data suggest greater employer preferences (or less discrimination against) blacks in the central cities.
- Relationship between establishment size and the ratio of black employees to applicants holds within metropolitan and suburban areas
- Greater geographic proximity to the central city does not account for the greater tendency of larger establishments to hire more blacks.

Kinard, J.L., McLaurin, J.R., Little, B. (1995). Sexual harassment in the hospital industry: an empirical investigation. *Health Care Management Review*, 20 (1), 47.

- Survey of hospital human resource managers across the United States was carried out to assess the prevalence of sexual harassment allegations in the health care industry and to determine hospitals' policies and procedures for dealing with such allegations (n=97).
- Major methods of communicating sexual harassment policies and procedures are communicated to employees in a number of ways including employee handbooks or policy manuals, training programs, memoranda and announcements, departmental meetings, posters, employee newsletters, brochures, letters, and orientation programs. Most respondents use a combination of these methods.
- More than half of the complaints were filed against coworkers—more than three times the number filed against immediate

supervisors. Managers other than immediate supervisors were charged in less than 10% of the cases.

- A significant number of sexual harassment complaints were lodged against individuals who were not employed by the health care facility—physicians, patients, vendors, visitors, and others.

Laabs, J. (1998). Employers are getting smarter about handling sexual harassment issues. *Workforce* 77 (6), 42.

- Twin studies on sexual harassment complaints at 900 firms showed that the number of human resources professionals surveyed that had handled a sexual harassment complaint dropped 22%, from 92% in 1995 to 70% in 1997.
- One reason for the drop in complaints could be manager training on the topic.
- Survey indicates that in 1997, 62% of companies polled had provided sexual harassment training for supervisors versus 34% two years early.

Laabs, J.L. (1995). HR puts its questions on the line: sexual harassment. *Personnel Journal* 74 (2), 36.

- Survey administered by the Journal in June 1994 (n=200+)
- 74% said that sexual harassment is a serious problem facing business today.
- 61% of the respondents said that business isn't doing enough to address the problem.
- 90% of the respondents to the survey said that their workers don't understand a common definition of sexual harassment
- According to a 1994 survey by *Training* magazine, 76% of all companies report having a formal policy on sexual harassment.
- Some personnel professionals worry that training will cause an increase in sexual harassment complaints.
- Many companies have discovered that sexual harassment must be revisited periodically to ensure employees are aware that you're concerned about prevention and take it seriously.
- Investigation is the second biggest problem for human resources.
- 75% of respondents said that they had investigated a sexual harassment complaint in the past year.
- Another problem occurs when a complainant doesn't want the company to investigate.

Roberts, G.E. (1995). Age related employment issues in Florida municipal government. *Review of Public Personnel Administration* 15 (2), 62.

- Study conducted on a sample of 45 Florida municipal governments to explore the important factors that contribute to the low number of age discrimination claims.
- Respondents perceive older employees as possessing desirable job-related attitudes/behaviors and are productive employees.

- Respondents perceive older employees as being motivated to learn new skills, but have greater difficulty in adapting to changing working conditions.
- Results contradict prior research demonstrating a negative relationship between age and subjective measures of performance such as performance appraisals.
- Attitudes of government employers towards aging workers may explain why municipal government has a very low incidence of age-related discrimination lawsuits.

Stevens, B., & Fleckenstein, A. (1999). Comparative ethics: how students and human-resources directors react to real-life situations. *Cornell Hotel & Restaurant Administration Quarterly* 40 (2), 69-75.

- Survey on how human resources directors and managerial-communication students reacted to ambiguous ethical situations involving hotel employees.
- Seven scenarios were compiled from a series of 30 interviews with human resources directors at mid- to large-size hotels asked to give details of any ethical incident that had occurred in their organization in the last 12 months.
- Scenarios were used to develop a survey that asked respondents to rate how ethical or unethical the principal actor was in each situation on a scale of one to five.
- Students and practitioners differed significantly on a sexual harassment incident – directors found this incident more unethical than students.
- Racial-preference incident was another area where directors found the incident to be more unethical than students.

Whitty, M.D., & Andrukonis, M. (1994). Corporate response to the ADA in one city. *Labor Law Journal* 45 (5) 306-314.

- Notes taken from abstract ONLY.
- "A 1993 survey of Detroit area corporate chief executives demonstrated that small and mid-size businesses are not fully aware of the requirements of the Americans with Disabilities Act (ADA) and continued education and policy-making is required."

Wright, P., Ferris, S.P., Hiller, J.S., & Kroll, M. (1995). Competitiveness through management of diversity: effects on stock price valuation. *Academy of Management Journal* 38 (1), 272-287.

- Study examined the impact that announcements of U.S. Department of Labor awards for exemplary affirmative action programs upon the stock returns of winning corporations and the effect that announcements of damage awards from the settlement of discrimination lawsuits had on the stock returns of corporations.
- Results suggest that announcements of awards may be associated with competitive advantage and that discrimination-related announcements may be associated with inability to achieve such advantage.

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- Fletcher, L. (2000). Women in the workforce bring positive changes for all workers. *Business Insurance*, 34. Retrieved July 9, 2001, from Expanded Academic ASAP database.
- Front page news: The number of human rights' cases in the press and in the courts will continue to climb until employers educate themselves to possible problems. (1996, February). *Benefits Canada*, 20, 21-25.
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Appendix B: Participants List

Focus Group Participants by Company*

Edmonton: June 22, 2001

ATCO Gas
EPCOR
Grant MacEwan Community College
University of Alberta
Alberta Motor Association
Delta Hotel
Westin Hotel
Inland Cement
Clark Builders
City of Edmonton
TELUS

Edmonton: June 29, 2001

Harcourt Mathews Group, Inc.
Pentastar Transportation Ltd.
Greater Edmonton Homebuilders' Association
Landmark Master Builder Inc.
ICON
Drake International
Alberta Learning, Children's Initiative

Lethbridge: July 6, 2001

Beny's Chevrolet Oldsmobile
Best Western Heidelberg Inn
Chinook Health Region
Lethbridge School Dist. #51
Royal Bank
Rehab Bottle Depot

Grande Prairie: July 13, 2001

Canadian Tire Assoc. Store

Grande Prairie Police Dept.

Kal Tire

Keg Steakhouse & Bar

London Drugs Ltd.

Schlumberger of Canada

Sears Canada Inc.

Staples Office Equipment

* Some companies sent more than one participant

In-Person and Telephone Interviews

Mary-Woo Sims
Chief Commissioner

**British Columbia Human Rights
Commission**

George Sarides
Assistant Director

Manitoba Human Rights Commission

Ted Shaw
Education Officer

Ontario Human Rights Commission

Genevieve Leslie
Education and Equity Advisor

**Saskatchewan Human Rights
Commission**

Francois Larsen
Manager, Communications & Education

Ontario Human Rights Commission

Pardeep S. Gundara
Manager, Southern Alberta

**Alberta Human Rights and Citizenship
Commission**

Louise Borlé
Manager, Northern Alberta

**Alberta Human Rights and Citizenship
Commission**

Appendix C: Search Strategy

The following is an inventory of the resources, search term strings and strategies employed for this context review. Where appropriate, different search strategies were used with different databases and search engines to make efficient use of the specific syntax appropriate for each search venue.

Search Engines

We have conducted a number of general Internet searches using Google (<http://www.google.com>), altavista (<http://ca-en.altavista.com>), and Go.com (<http://www.go.com>). Searches used the following terms (formatted using Google advanced search syntax):

- 1 "human rights" or diversity or discriminate
- 2 workers or worker or workplace or employer or employers

In addition to the above general searches, web sites for Provincial human rights commissions were also investigated:

- BC <http://www.bchrc.gov.bc.ca/home.htm>
- MB <http://www.gov.mb.ca/hrc/>
- NF <http://www.gov.nf.ca/hrc/>
- NB <http://www.gov.nb.ca/hrc-cdp/>
- NS <http://www.gov.ns.ca/humanrights/>
- ON <http://www.ohrc.on.ca/>
- PEI <http://www.gov.pe.ca/humanrights/>
- SK <http://www.gov.sk.ca/shrc/>

Bibliographic Databases

Little relevant information was identified in general Internet searches. More useful have been bibliographic database searches (see Appendix for a list of references of the items identified as relevant and retrieved to date).

Bibliographic searches focused on the following databases:

- Expanded Academic ASAP (1980-July 2001);
- Canadian Business and Current Affairs (CBCA)(1982-2001);
- Academic Search FullTEXT Elite (1984-2001);
- ABI Inform; and
- Canadian Research Index (1982-June 2001).

The search strategies that have been used to date are represented as follows:

Expanded Academic ASAP, Academic Search FullTEXT Elite and ABI Inform:

- 1 human right? or discriminat* or diversity
- 2 workplace? or employee? or worker? or employee?
- 3 canada or canadian?

Canadian Research Index:

- 1 discriminat*
- 2 human right*
- 3 work* or employ*
- 4 (1 or 2) and 3

CBCA:

- 1 (human rights) in TI
- 2 employer
- 3 1 and 2

Second Search Strategy

Business Index ASAP
ABI Inform
Canadian Business and Current Affairs
Canadian Research Index

- 1. "Human rights" OR harassment OR discrimination
- 2. "Human resources"
- 3. Studies

This search was conducted on the four databases.

Articles and abstracts compiled following the first search were examined to locate possible references and key articles. Author searches were conducted on the databases above and in Web of Science - a citation database. The names searched were

- 1. Haidee E. Allerton
- 2. Lee Fletcher
- 3. Michael Bates
- 4. David Este
- 5. Cultural Diversity Institute

Appendix D: Definitions

According to Agger-Gupta, "misunderstanding caused by people using different definitions for the same word is a significant problem, particularly when many of the words have a high emotional value (hot buttons) are the potential to escalate conflict and misunderstanding simply by their use" (1995, p. 3). Therefore, the following list of definitions was created to facilitate understanding and communication clarity.

Accommodation: "The legal duty of Alberta employers to change policies, rules or work conditions to meet the needs of their employees which relate to one or more of the prohibited grounds for discrimination" (Agger-Gupta, 1995, p. 8).

Affirmative Action: "Targeted hiring by organizations to redress currently existing or historic discriminatory hiring or other selection practices" (Agger-Gupta, 1995, p. 9). More recently defined by the US Office of Federal Contract Compliance Programs (OFCCP, 2001) as "the set of positive steps that employers use to promote equal employment opportunity and to eliminate discrimination."

Discrimination: "The conscious or unconscious act of dealing with a person or persons on the basis of prejudicial attitudes and beliefs rather than on the basis of individual merit" (Agger-Gupta, 1995, p. 28). Discrimination defined by Poelman in the context of human rights politics and law, "usually refers to a specific act or policy of prejudicial treatment affecting members of specific groups identified by characteristics such as race, gender or religion" (1999, p. 4).

Diversity: "All the ways we are unique and different from others" (Agger-Gupta, 1995, p. 28).

Employment Equity: "Refers to a workplace that is reflective of the entire community and that values and empowers all employees" (Agger-Gupta, 1995, p. 29).

Human Rights Culture: "A workplace environment where human rights and responsibilities are promoted and respected and where employees are free from concerns related to basic equity issues" (Bates & Este, 2000, p.7).

Human Rights: "Individual moral, legal and bureaucratic privileges, which are always associated with a corresponding responsibility" (Osigweh, cited in Bates & Este, 2000, p. 7)

Levels of Diversity: "This refers to the four differing spheres, or levels, of interaction and *learning* involved in understanding and addressing

differences and exclusions within any society. Awareness of diversity begins with the individual psychological level; then the interpersonal level, including the work team / group within the organization; then the professional, inter-organizational level; and finally the community / societal level" (Agger-Gupta, 1995, p.46).

Minority: "A group of persons who are (or defined as) racially or ethnically distinct and distinguished from the majority on the basis of physiological, social or cultural characteristics" Fleras & Elliott, Multiculturalism in Canada, 1992 (cited in Agger-Gupta, 1995, p.49).

Systematic Discrimination: "Social and organizational structures, including policy and practices, which, whether intentionally or, most often, unintentionally, exclude, limit and discriminate against individuals not part of the traditional dominant group. Systematic discrimination, or racism, is most often an unconscious by-product of ethnocentrism and unexamined privilege" (Agger-Gupta, 1995, p. 69).

Workplace Diversity: "Personnel, which includes differences in gender, ethnicity, colour, language and other socio-economic factors" (Bates & Este, 2000, p.7).

Appendix E: Employer Survey

Hello, my name is _____ and I'm with a research company called Howard Research. I'm calling on behalf of the Alberta Human Rights and Citizenship Commission. Your telephone number was selected at random. We are not selling or promoting anything. We are conducting a survey of Alberta employers.

May I speak with the person in your organization that deals with human rights and workplace discrimination matters. (IF NECESSARY, PROMPT—the person who deals with employment matters, hiring, supervision, and human rights issues).

(IF NECESSARY, RE-INTRODUCE YOURSELF)

More than 80% of complaints that come to the Commission are employment related. The Commission wants to improve its understanding of the human rights issues employers face in the workplace—so it can offer help to employers to reduce and prevent discrimination. Your input is highly valued and appreciated.

I would like to interview you and I'm hoping now is a good time for you. The interview should take only about 10-15 minutes.

IF RESISTANCE—COULD I ARRANGE A MORE CONVENIENT TIME TO CONDUCT THE INTERVIEW? IF YES, ARRANGE A CALL BACK.

(RECORD GENDER OF POTENTIAL RESPONDENT)

Male 1 Female 2 Refused 0

(IF NECESSARY ARRANGE A CALLBACK)

Callback Date: _____ Callback time _____

IF "0" THANK YOU VERY MUCH FOR YOUR TIME.

Before we start, I'd like to assure you that your participation is voluntary and that the information you provide will be aggregated. Your name or the name of your organization will not be reported in this study. If there is any question you do not wish to answer, please feel free to point these out to me and we will go on to the next question.

To check on the legitimacy of this study you can call Cassie Palamar of the Alberta Human Rights and Citizenship Commission at 403-297-7437.

Questions

Human rights legislation in Alberta protects individuals from discrimination on specific grounds in the area of employment. Both employers and employees have rights and responsibilities under the legislation. (READ)

1. How important is it for your organization to be informed about human rights in the workplace? WOULD YOU SAY

1. Very important
2. Fairly important
3. Not very important
4. Not important at all
5. (Don't know)
99. No Response

2. Does your organization provide human rights information to its employees?

1. Yes
2. No
3. Don't know
99. No Response

IF "no" GO TO 4

3. What human rights topics are included in the information your organization provides to its employees?

4.a In the past five years, has your organization ever had to respond to a human rights complaint (either formal or informal) from one of its employees?

1. Yes
2. No
3. Don't know
99. No Response

IF NO, GO TO 5

4.b IF YES, how many issues or complaints have you had?

4.c What kind of complaint(s)?

CHECK ALL THAT APPLY

- ☐ differences in religious beliefs
- ☐ differences in race or colour
- ☐ pregnant employees
- ☐ sexual harassment
- ☐ other gender-based issues
- ☐ people with physical disabilities
- ☐ people with mental disabilities
- ☐ age
- ☐ differences in ancestry or place of origin
- ☐ marital status of employees
- ☐ family status of employees
- ☐ sexual orientation
- ☐ source of income

Other _____

5.a Have you noticed or had reports of any discrimination in the workplace that you feel could be associated with the September 11th terrorism attacks?

- 1. Yes
- 2. No
- 99. No Response

5.b IF YES, what have you noticed or what has been reported to you?

6. The Commission would like your organization's opinion on how the Commission should use its resources for developing information and support materials for employers. Should the Commission give high, medium, or low priority to developing materials that will help your organization better understand:

(REVERSE ORDER OF PRESENTATION WITH EVERYOTHER RESPONDENT)

6.a the different grounds that are protected under Alberta's human rights legislation (for example, disability, gender, and race). WOULD YOU SAY

- 1. High priority
- 2. Medium priority
- 3. Low priority
- 99. No Response

6.b where legal responsibilities rest for human rights at work and who is protected. WOULD YOU SAY

- 1. High priority
- 2. Medium priority
- 3. Low priority
- 99. No Response

6.c which job requirements (such as height and weight requirements) are prohibited and which are acceptable. WOULD YOU SAY

- 1. High priority
- 2. Medium priority
- 3. Low priority
- 99. No Response

6.d which hiring practices (in advertising, application forms, interviewing, and making conditional job offers) are prohibited and which are acceptable.

WOULD YOU SAY

- 1. High priority
- 2. Medium priority
- 3. Low priority
- 99. No Response

6.e what medical and drug testing is permissible. WOULD YOU SAY

- 1. High priority
- 2. Medium priority
- 3. Low priority
- 99. No Response

6.f the duty required of organizations to accommodate employees with disabilities, employees with religious needs, pregnant women, employees with drug and alcohol dependencies, employees with family obligations.

WOULD YOU SAY

1. High priority
2. Medium priority
3. Low priority
99. No Response

6.g addressing and preventing gender-based discrimination, including sexual harassment and discrimination based on pregnancy. **WOULD YOU SAY**

1. High priority
2. Medium priority
3. Low priority
99. No Response

6.h the impact of human rights on employee benefits such as group insurance, benefits and pension plans, maternity leaves and health-related benefits.

WOULD YOU SAY

1. High priority
2. Medium priority
3. Low priority
99. No Response

6.i how to create environments that are respectful of human rights and diversity.

WOULD YOU SAY

1. High priority
2. Medium priority
3. Low priority
99. No Response

6.j how to develop an internal strategy for resolving human rights issues that arise in the workplace, including anti-discrimination policies, a complaint resolution procedure, and on-going education programs. **WOULD YOU SAY**

1. High priority
2. Medium priority
3. Low priority
99. No Response

6.k the commission's process for resolving and settling complaints of discrimination, including the human rights panel hearing process.

WOULD YOU SAY

1. High priority
2. Medium priority
3. Low priority
99. No Response

6.l developing self-assessment tools or checklists for reviewing human rights policies and practices in the workplace. WOULD YOU SAY

1. High priority
2. Medium priority
3. Low priority
99. No Response

6.m updates on recent human rights decisions by the courts and human rights panels and real-life cases. WOULD YOU SAY

1. High priority
2. Medium priority
3. Low priority
99. No Response

6.n how to help employers and employees deal with issues of discrimination or distrust that may have arisen in the aftermath of the September 11th terrorism attacks.

WOULD YOU SAY

1. High priority
2. Medium priority
3. Low priority
99. No Response

7. Would you suggest any other human rights topics or issues that you think the Commission should give priority?

No

8. The Commission would like your input on how your organization would like to receive information. Would your organization use the following formats?

(REVERSE ORDER OF PRESENTATION WITH EVERYOTHER RESPONDENT)

8.a Printed materials.

WOULD YOU SAY THAT YOU WOULD

1. Definitely use
2. Probably use
3. Probably would not use
4. Definitely would not use
99. No Response

8.b Video tapes

WOULD YOU SAY THAT YOU WOULD

1. Definitely use
2. Probably use
3. Probably would not use
4. Definitely would not use
99. No Response

8.c Workshops and presentations.

WOULD YOU SAY THAT YOU WOULD

1. Definitely use
2. Probably use
3. Probably would not use
4. Definitely would not use
99. No Response

8.d Comprehensive web site.

WOULD YOU SAY THAT YOU WOULD

1. Definitely use
2. Probably use
3. Probably would not use
4. Definitely would not use
99. No Response

8.e Confidential telephone hotline for employers.

WOULD YOU SAY THAT YOU WOULD

1. Definitely use
2. Probably use
3. Probably would not use
4. Definitely would not use
99. No Response

8.f Posters and fliers

WOULD YOU SAY THAT YOU WOULD

1. Definitely use
2. Probably use
3. Probably would not use
4. Definitely would not use
99. No Response

8.g e-mail information service.

WOULD YOU SAY THAT YOU WOULD

1. Definitely use
2. Probably use
3. Probably would not use
4. Definitely would not use
99. No Response

8.h Materials that can be integrated into your organization's newsletter, magazine or bulletin board.

WOULD YOU SAY THAT YOU WOULD

1. Definitely use
2. Probably use
3. Probably would not use
4. Definitely would not use
99. No Response

9. Do you have any other suggestions for human rights materials that you would use or probably use in your organization if they were made available to you?

No

Demographics

THESE FINAL QUESTIONS WILL GIVE US A BETTER PICTURE OF THE PEOPLE WHO TOOK PART IN THE STUDY

10. In what community is your business located _____
11. Approximately how many employees are there in your organization _____
12. What percentage of your workforce is female _____
13. Is the majority of your workforce unionized? Yes No Other _____
14. How would you categorize your business type. Would you say:

Goods-Producing Sector	
Agriculture	
Forestry & Logging with Support Activities	
Mining & Oil & Gas Extraction	
Utilities	
Construction	
Manufacturing	
Services-Producing Sector	
Wholesale Trade	
Retail Trade	
Transportation & Warehousing	
Finance, Insurance, Real Estate & Leasing	
Professional, Scientific & Technical Services	
Management, Administrative & Other Services	
Educational Services	
Health Care & Social Assistance	
Information, Culture & Recreation	
Accommodation & Food Services	
Other Services	
Public Administration	
Unknown	

15. Do you have any other comments that you would like to make?

We've reached the end of our survey. Thank you very much.

We really appreciate your time and cooperation. This information will be used in developing educational programming and materials relevant to employers. Goodbye.

If the respondent expressed interest in learning more about the commission, then a referral to the website at www.albertahumanrights.ab.ca if they have access to the web; e-mail at humanrights@gov.ab.ca, or call any of our offices toll-free by dialing 310-0000 and at the prompt entering 403.297-6571 for the Calgary office or 780.427-7661 for the Edmonton office.